Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 5/23/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 003 (AFGHANISTAN)**

- Subject ARB was held on 28 March 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

(b)(5)

  - Threat Assessment:
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(1)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) detention & approve transfer (Transfer) 6-1-07

(b)(5) Detain _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

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(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 003

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation. The EC stated he wanted to attend the ARB, and he was extremely cooperative, calm, and polite during the entire interview. The EC wanted a copy of the Farsi translated Unclassified Summary of Evidence, which was provided to the EC IAW DOC SOP.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process. The ARB ensured the EC felt well enough to participate in the proceedings.

e. (U) The EC read a response to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his weapons training, his future plans. All EC testimony and comments are included in enclosure (5).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(1)

c. **(U) Training**

(b)(1)

d. **(U) Operations, Combat and Capture**

(b)(1)

(b)(1)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1)

f. **(U) <u>Individual Affiliations</u>**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(1)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of Release**

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5)

(b)(5)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. The EC alleges he was verbally abused by an interrogator in April 2006. The EC did not claim any of his statements were coerced due to this alleged abuse. Since there is no information linking the alleged abuse to specific EC statements, the statements of the EC were considered and determined to be probative.

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Marine Corps
Presiding Officer

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/27/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 004 (AFGHANISTAN)**

- Subject ARB was held on 22 Aug 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

(b)(5)

  - Threat Assessment:
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) _____

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 004

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made in response to the unclassified summary during the AMO's interview. These responses are documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to some of the allegations and/or statements in the Unclassified Summary. These statements are documented in Exhibit EC-B.

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the

ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) Recruitment**

(b)(1)

b. **(U) Travel**

(1) (U) The Board found no substantive or collaborative information about the EC's travel.

c. (U) **Training**

[redacted]

d. (U) **Operations, Combat and Capture**

[redacted]

(i) (U) The Department of Homeland Security reports the HIG was a major mujahedin group in the war against the Soviets. The group has long established ties with Usama bin Laden and the group's founder offered to shelter bin Laden after bin Laden fled Sudan in 1996. The group staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghanistan Transitional Administration and establish a fundamentalist state. (DMO-4)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. **(U) Factors in Support of Release**

(b)(1)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(1),(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Captain, U.S. Navy
Presiding Officer

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/29/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 006 (AFGHANISTAN)**

- Subject ARB was held on 31 January 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 4-2-07

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 006

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to personally appear in the ARB proceedings. The EC also declined to have the AMO present any information on the EC's behalf.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceeding was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(7)(A)

(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5)

(b)(5)

(b)(1)

c. ~~(S//NF)~~ **Recommendation**. ISN 006 should be (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Marine Corps
Presiding Officer

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/14/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 007 (AFGHANISTAN)**

- Subject ARB was held on 8 November 2007 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) _____ 12-20

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 007

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. However, the EC provided written comments addressing each allegation contained in the Unclassified Summary and asked that the AMO present them to the Board for consideration. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(1)

b. **(U) Travel**

(b)(1)

c. **(U) Training**

(b)(5)

d. **(U) Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1),(b)(7)(A)

(b)(1)

f. **(U) Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** ISN 007 should be (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 4/16

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 008 (AFGHANISTAN)**

- Subject ARB was held on 02 March 2007resulting in a unanimous recommendation to (b)(5) based on the following:

(b)(5)

  - Threat Assessment:
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) (Transfer)

4-23-07

(b)(5) Detain _____ Release _____

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 008

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative and belligerent while the AMO presented the Unclassified Summary of Evidence to the EC.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. The ARB was informed that the AMO attempted the reading and translation of the Unclassified Summary of Evidence to the EC, but the EC instructed the AMO to stop reading. The AMO stated the EC did not want to hear anything else nor did he need the assistance of the AMO.

(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of Release**

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5)

(b)(5)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation**. ISN 008 should be (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Captain, USN
Presiding Officer

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15/10/23

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 026 (YEMEN)**

- Subject ARB was held on 24 Sep 2007 resulting in a unanimous recommendation to (b)(5)

(b)(5)

- Threat Assessment:
- Intelligence Value:
- Other Factors:

(b)(5)

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) by initialing:

(b)(5) (Transfer) 10-30-01

(b)(5) Detain _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 026

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

e. **(U) Organizational Affiliations**

(1) (U) The Board notes there was no substantive or collaborative information on organizational affiliations regarding this EC.

f. **(U) Individual Affiliations**

(1) (U) The Board notes there was no substantive or collaborative information on individual affiliations regarding this EC.

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

8. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. There are no allegations or reports of abuse relating to ISN 026.

c. ~~(S//NF)~~ **Recommendation**. ISN 026 should be (b)(5)

9. (U) **Board Members' Voting Results**

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/21/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 027 (YEMEN)**

- Subject ARB was held on 20 November 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

(b)(5)

  - Threat Assessment:
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) by initialing:

(b)(5) (Detain) DDE 12-19

Or Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 027

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

(b)(7)(A)

b. **(U) Travel**

(b)(1),(b)(7)(A)

c. **(U) Training**

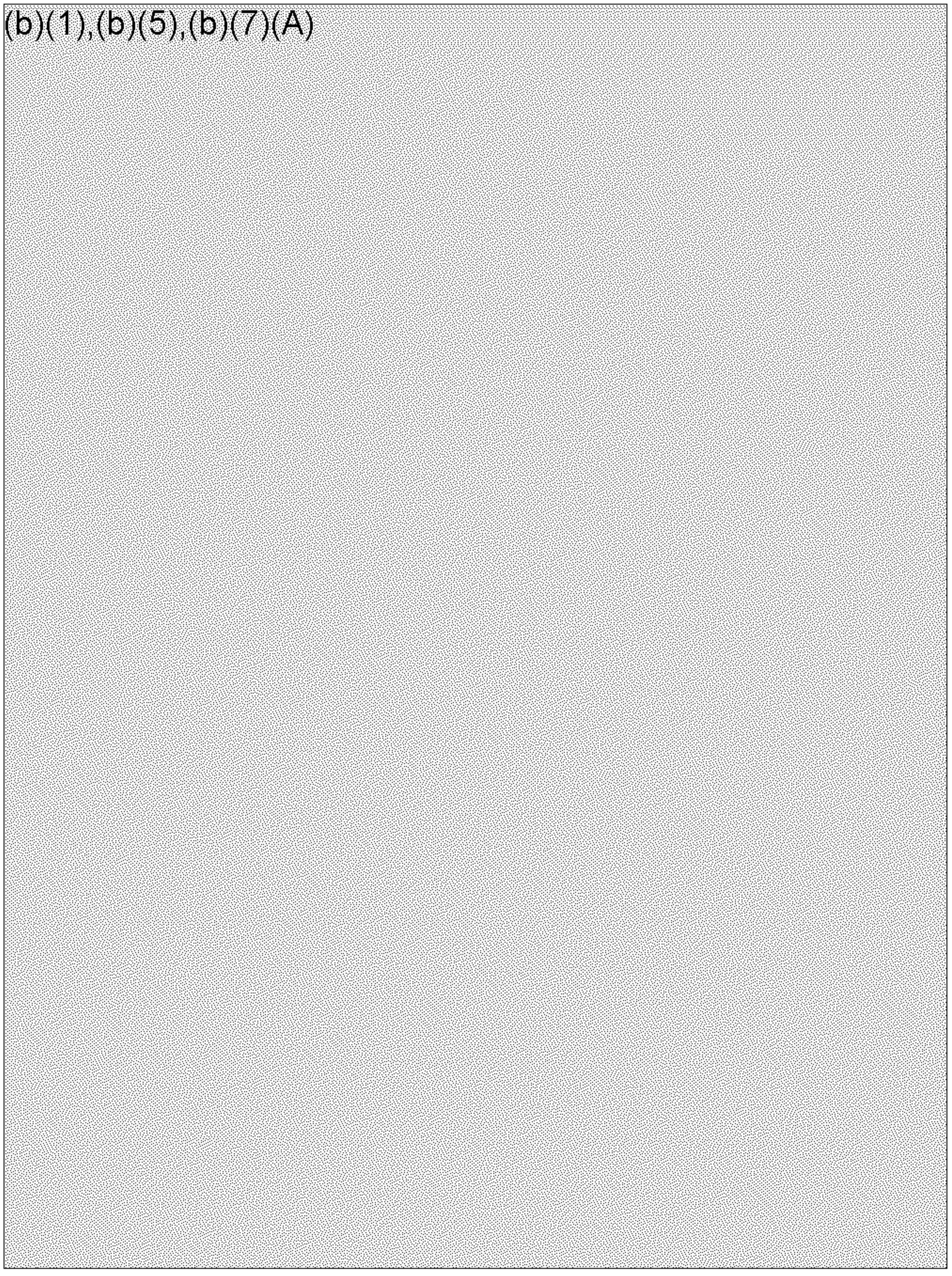
(b)(1)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of Release**

(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation**. ISN 027 (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Captain, United States Navy
Presiding Officer

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 13/14/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 028 (YEMEN)**

- Subject ARB was held on 17 October 2007 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 12-19

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 028

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. A copy of both the English and Arabic translated Unclassified Summary of Evidence, was provided to the detainee according to Joint Detention Group Standard Operating Procedures.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(1),(b)(7)(A)

c. **(U) Training**

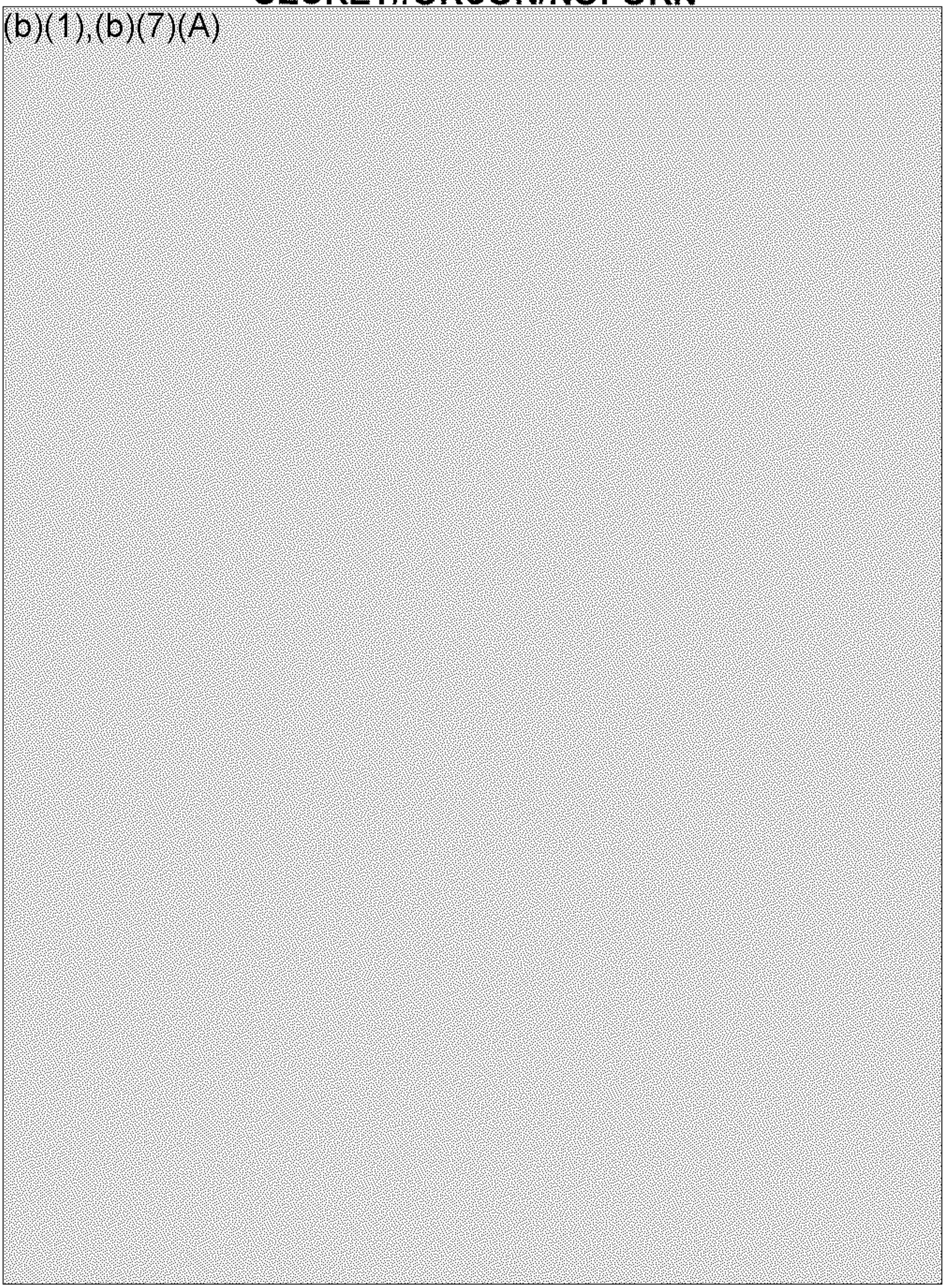
(b)(7)(A)

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1)

e. **(U) Organizational Affiliations**

(1) (U) The Board notes there was no substantive or collaborative information on organizational affiliations regarding this EC.

f. **(U) Individual Affiliations**

(1) (U) The Board notes there was no substantive or collaborative information on individual affiliations regarding this EC.

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation**. ISN 028 should be (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/24/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 029 (YEMEN)**

- Subject ARB was held on 8 November 2007 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 12-28-07

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 029

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to respond to each statement of information in the Unclassified Summary after its presentation.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to travel to Afghanistan, travel arrangements, weapons training, his future plans, his perception of U.S. forces, and his capture. All EC testimony and comments are included in enclosure (4).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) Recruitment

(b)(1),(b)(7)(A)

b. (U) Travel

(b)(1),(b)(7)(A)

c. (U) Training

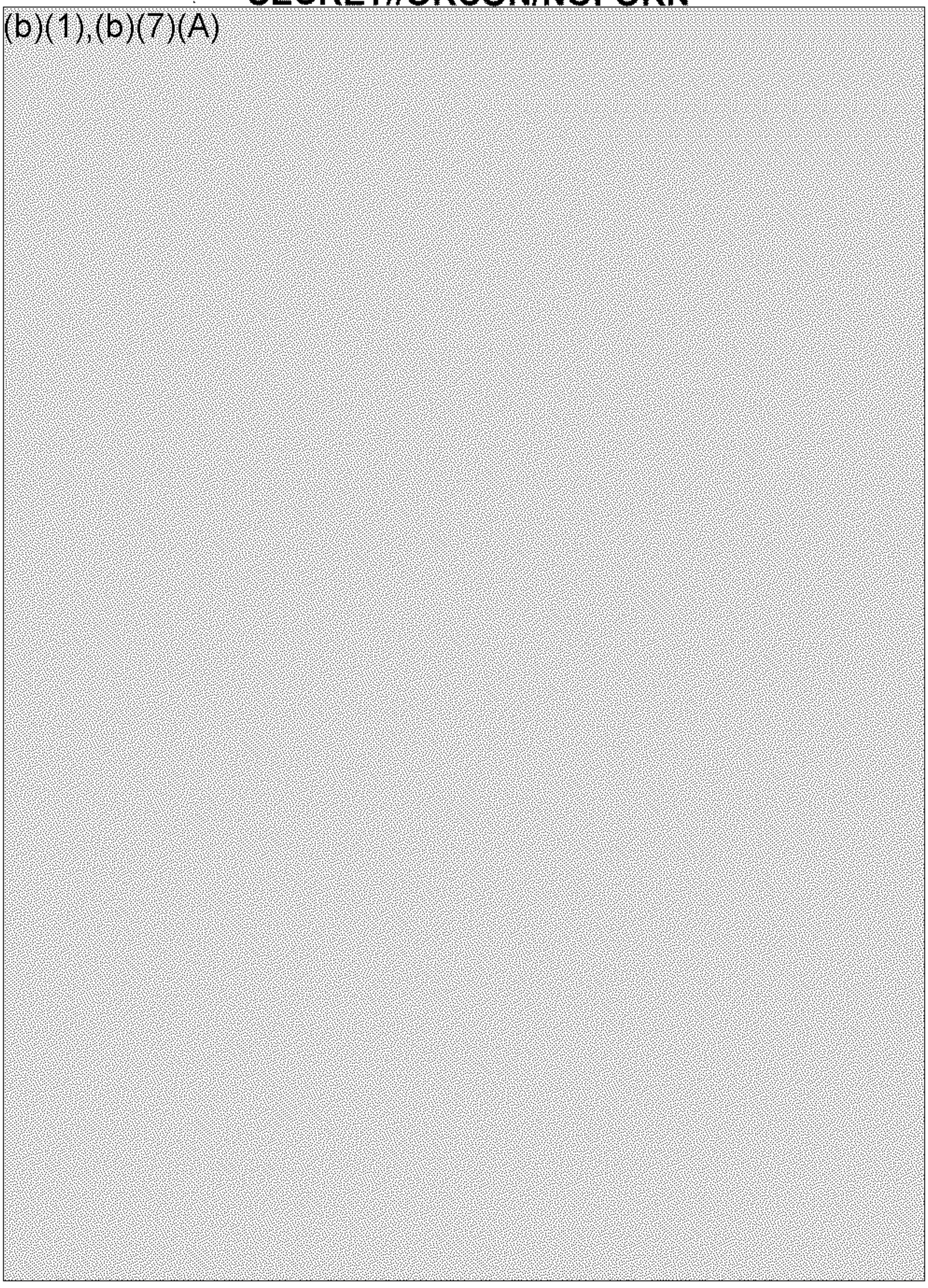
(b)(1)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

e. **(U) Organizational Affiliations**

(1) (U) The Board notes there was no substantive or collaborative information on organizational affiliations other than al Qaida regarding this EC.

f. **(U) Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. **(U) Consultations with the Administrative Review Board Legal Advisor**

a. (U) (b)(2)

7. **(U) Conclusions and Recommendation of the Administrative Review Board**

a. ~~(S//NF)~~ **Threat Level**. The EC poses (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** ISN 029 (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10 9/20/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 030 (YEMEN)**

- Subject ARB was held on 06 June 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 10-4

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 030

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. (U) Recruitment

(b)(1),(b)(7)(A)

b. (U) Travel

(b)(7)(A)

(b)(7)(A)

c. **(U) Training**

(b)(1)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

f. **(U) Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1)

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1),(b)(7)(A)

~~SECRET//ORCON/NOFORN~~

(b)(1)

c. ~~(S//NF)~~ Detainee Treatment Act Consideration

(b)(1),(b)(5)

d. ~~(S//NF)~~ Recommendation. ISN 030 should b (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b (b)(6)

(b)(3):10 USC §130b (b)(6)

ISN 030
Enclosure (5)
Page 8 of 8

~~SECRET//ORCON/NOFORN~~

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 13/11/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 031 (YEMEN)**

- Subject ARB was held on 30 November 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 1-25

(b)(Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 031

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings, wanted to respond to each statement of information in the Unclassified Summary after its presentation, and provided an oral statement made by the EC to the AMO during the interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his previous statements which he later claimed to have lied when they were made, and his future plans. All EC testimony and comments are included in enclosure (4).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the

ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

(a) (U) During his Administrative Review Board on 30 Nov 2007 the EC stated, "There is no one in the whole entire world, in the whole globe that has pushed me or ask me to go and teach in Afghanistan; I went and traveled on my own and I don't feel being pressured right know for me to speak here in front of you." (Enclosure 4)

(b)(1)

b. **(U) Travel**

(b)(7)(A)

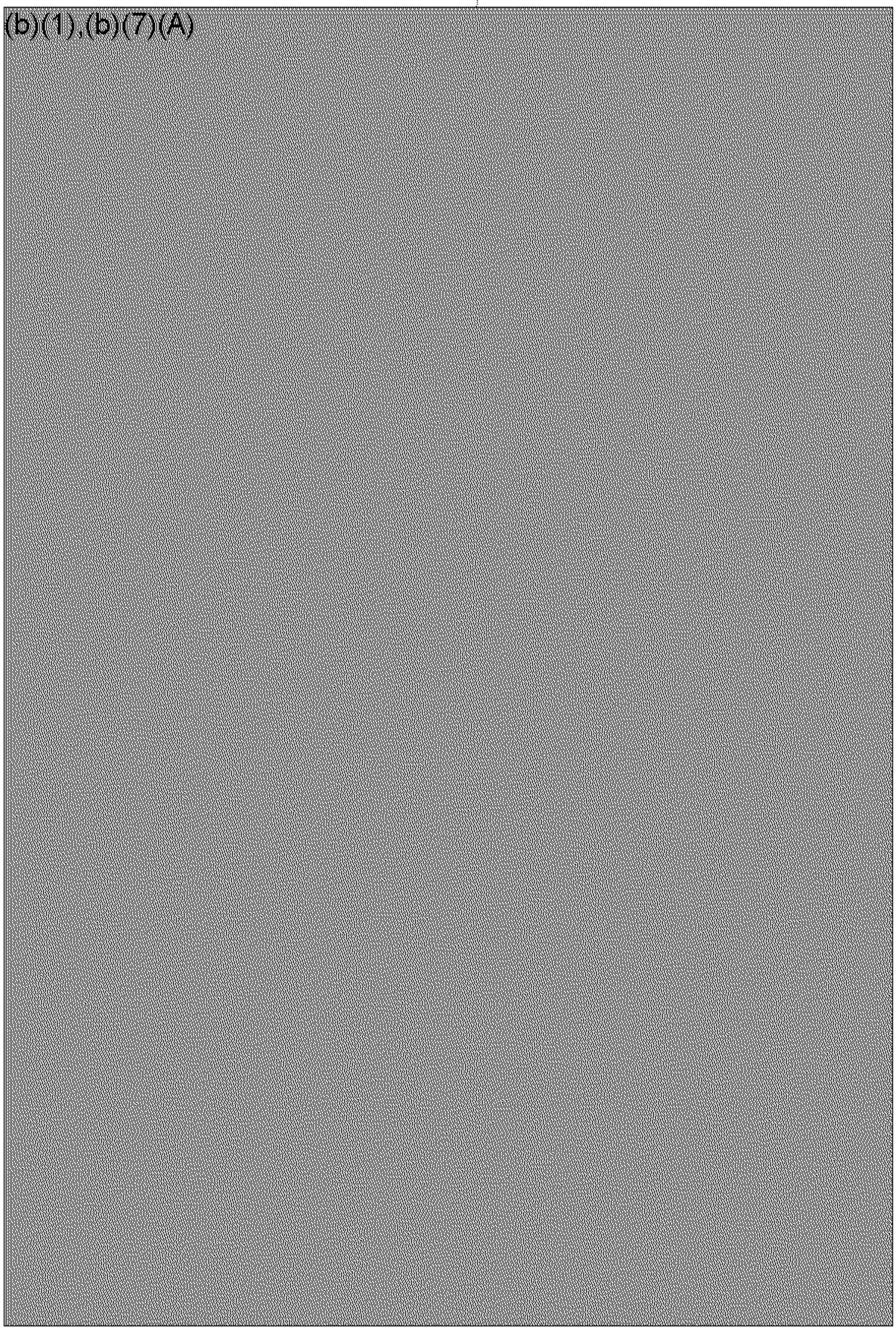
c. **(U) Training**

(b)(1),(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(5),(b)(7)(A)

[redacted]

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2) [redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) [redacted] due to the following factors:

(b)(1) [redacted]

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **EC Treatment Act Consideration**.

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b (b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/4/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 032 (YEMEN)**

- Subject ARB was held on 17 October 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  - [redacted]
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 12-7

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 032

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The EC responded to items in the Unclassified Summary and requested the AMO read his responses to the board. The EC's responses are documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(1) (U) The EC stated he attended the Furqan Institute in Yemen. (DMO-21)

(b)(1)

b. **(U) Travel**

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(7)(A)

(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

e. **(U) Organizational Affiliations**

(U) The board notes there was no substantive or collaborative information on organizational affiliations regarding this EC.

f. **(U) Individual Affiliations**

(b)(1)

(b)(1),(b)(7)(A)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration** (b)(5)

(b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. ISN 032 should be

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18 Sep 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 033 (YEMEN)**

- Subject ARB was held on 23 May 2007 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
  - (b)(1)
  - Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) (Detain) 9-24

(b)(Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 033

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the *Enemy Combatant*)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

(b)(1)

c. **(U) Training**

(b)(1)

d. **(U) Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1)

f. **(U) Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

(b)(1)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~**(S//NF)**~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. ISN 033 should be (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 034 (YEMEN)**

- Subject ARB was held on 07 June 2007 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5) (Transfer)

9-7

(b)(Detain _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 034

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1)

(b)(1)

c. **(U) Training**

(b)(1)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/14/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 035 (YEMEN)**

- Subject ARB was held on 15 February 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include: (b)(1)
- Agency assessments follow:

	(b)(5)
DASD-DA	
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (Detain) 9-28

(b)(Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 035

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB. The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(1)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1)

f. **(U) Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1),(b)(6),(b)(7)(A),(b)(7)(C)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC (b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The Board assessed the EC (b)(5)

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation**. EC 035 should be (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/27/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 036 (SUDAN)**

- Subject ARB was held on 21 December 2007 resulting in a unanimous recommendation to [redacted] based on the following:
  - Threat Assessment: [redacted]
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:

[redacted]

- Agency assessments follow:

DASD-DA	[redacted]
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO [redacted]

[redacted] (Detain) 12-8-08

[redacted] Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 036

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation. The AMO further presented correspondence from the family of the EC as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his weapons training, his future plans, his perception of U.S. forces, and his treatment at Guantanamo Bay, Cuba. All EC testimony and comments are included in enclosure (6).

[redacted]

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the

ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

[redacted]

(2) (U) **Central Intelligence Agency (CIA)**

[redacted]

(3) (U) **Federal Bureau of Investigation (FBI)**

[redacted]

(4) (U) **Criminal Investigation Task Force (CITF)**

[redacted]

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

[redacted]

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

[redacted]

(7) (U) **Office of Military Commissions (OMC)**

[redacted]

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

[redacted]

b. (U) **Travel**

[redacted]

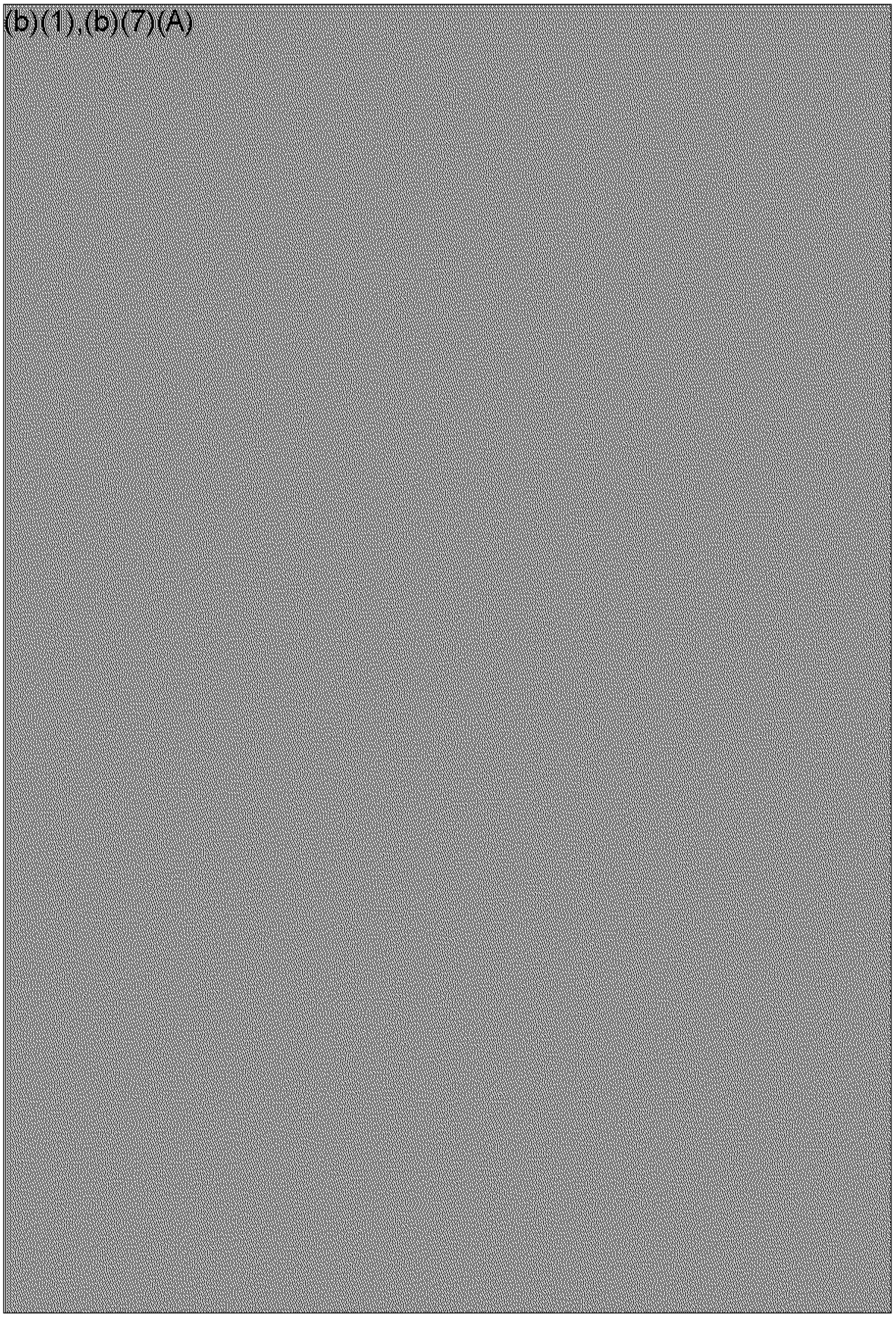
c. (U) **Training**

[redacted]

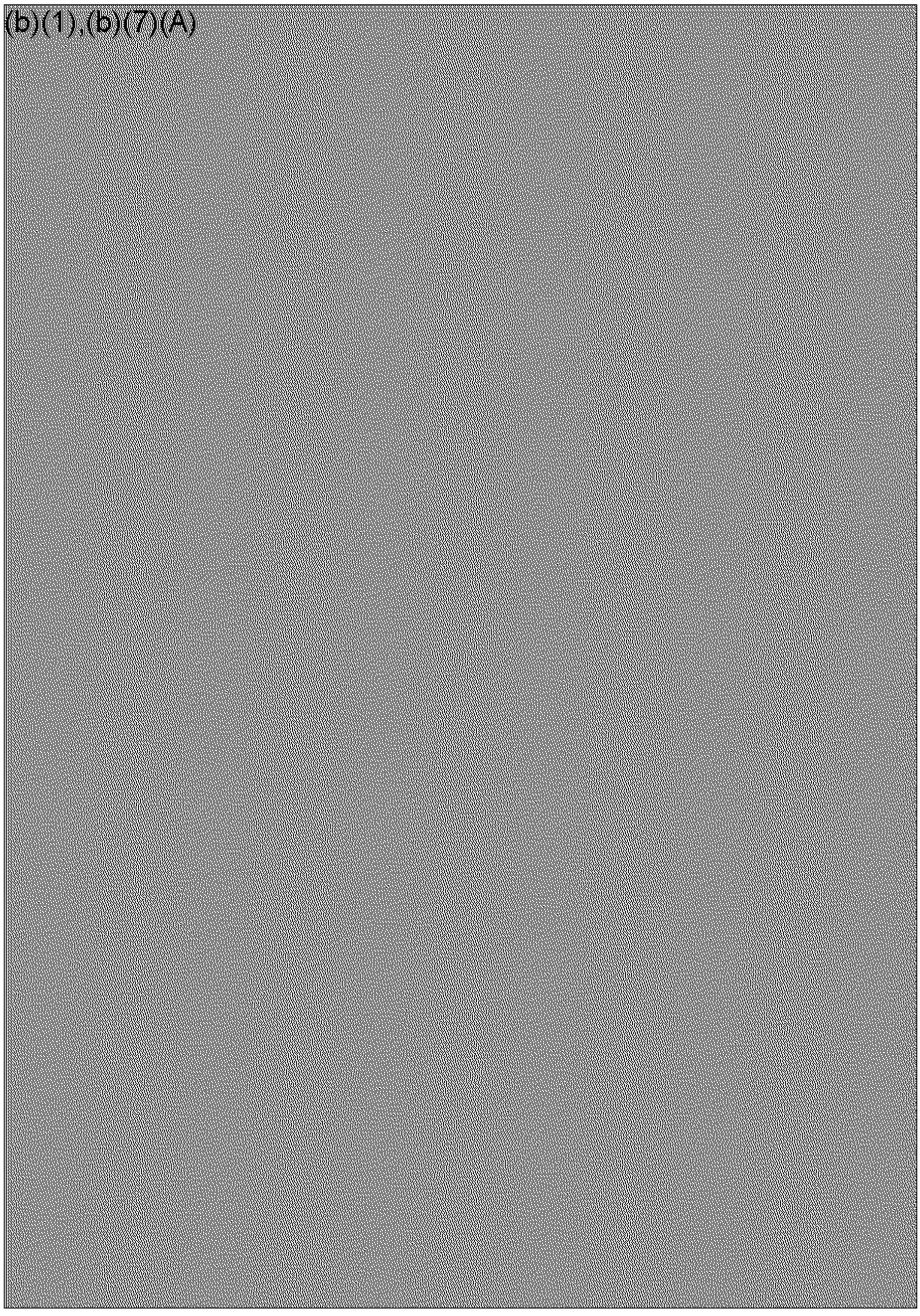
(b)(1),(b)(7)(A)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1),(b)(7)(A)


(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(1)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(1)

(b)(1) (b)(3)-P.L. 86-36

[redacted]

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Sudan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 036, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 036.

6. (U) Consultations with the Administrative Review Board Legal Advisor

[redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

[redacted]

[redacted]

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of [redacted] due to the following factors:

[redacted]

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. [redacted]

[redacted]

[redacted]

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(1)

(b)(1)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(1)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/29/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 037 (YEMEN)**

- Subject ARB was held on 25 Jan 08 resulting in a unanimous recommendation (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) 3-17-08

(b)(5)

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 037

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification CSRT Determination as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after it is presented. However prior to the start of the proceedings the EC decided to wait until the entire Unclassified Summary was presented before responding.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to going to Afghanistan, his training, why he was captured, his future plans, his perception of U.S. forces, and his treatment at Guantanamo Bay, Cuba. All EC testimony and comments are included in enclosure (4).

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(1),(b)(5)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

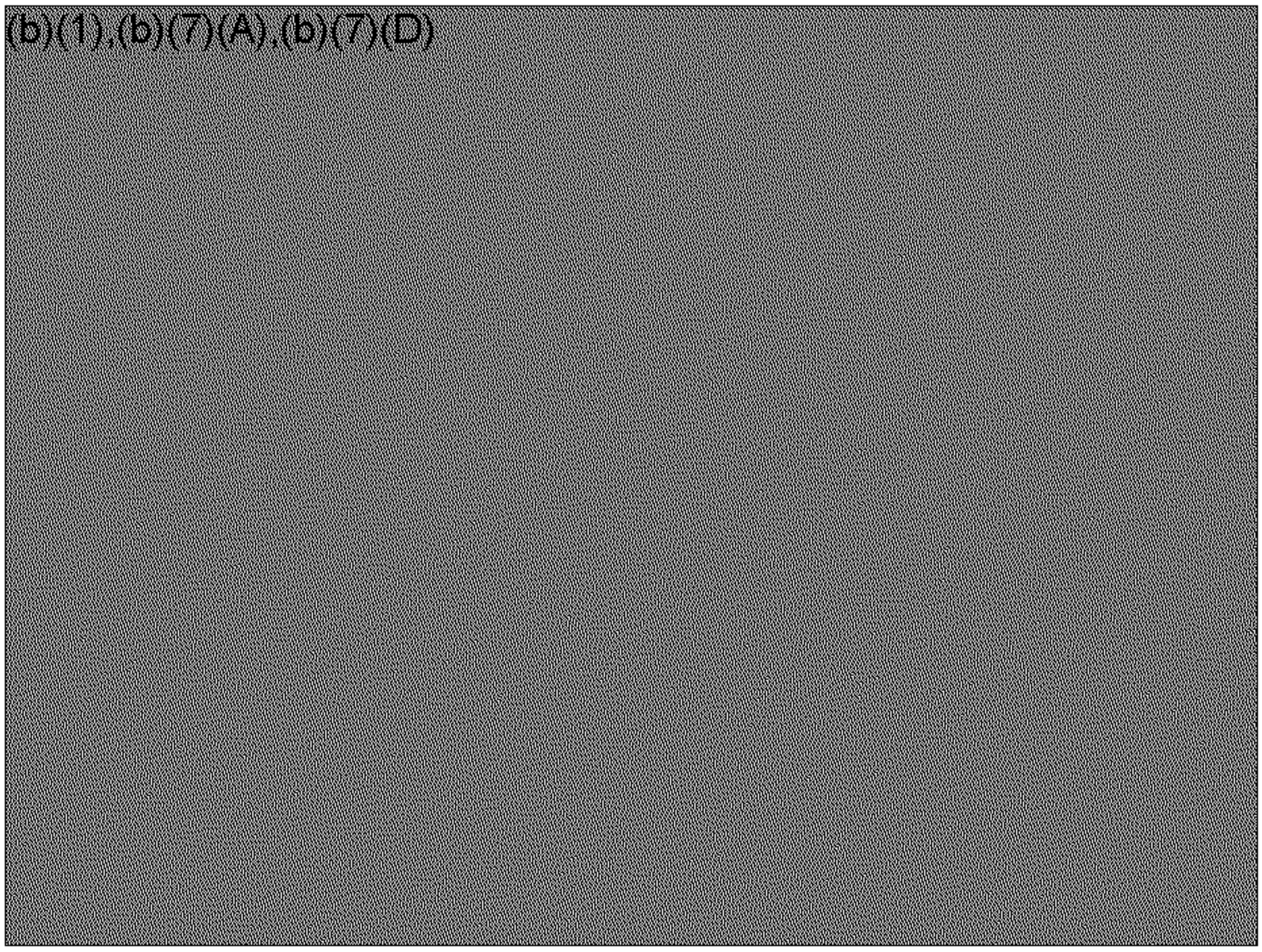
b. (U) **Travel**

(b)(1),(b)(7)(A),(b)(7)(D)

c. (U) **Training**

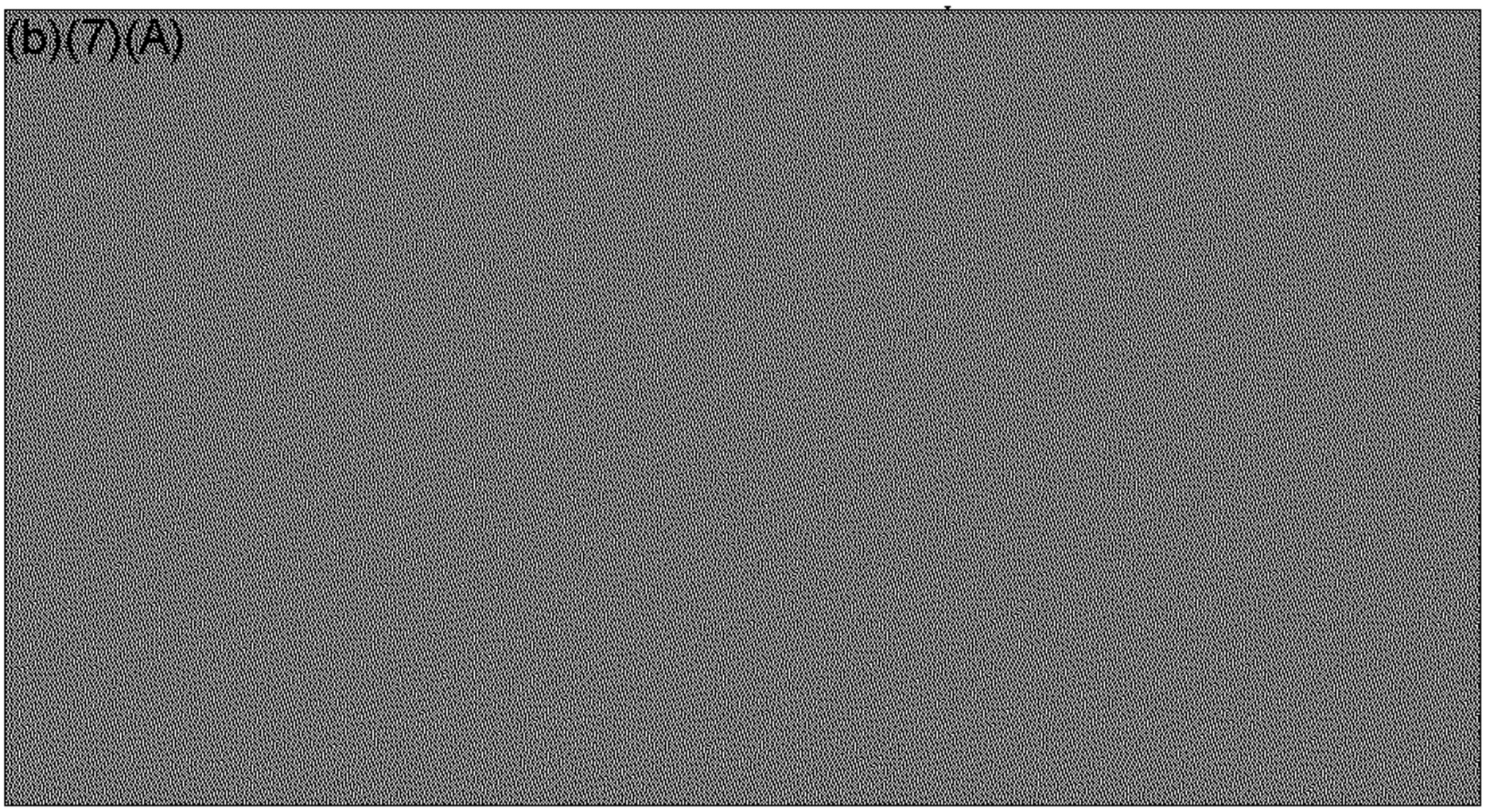
(b)(7)(A)

(b)(1),(b)(7)(A),(b)(7)(D)

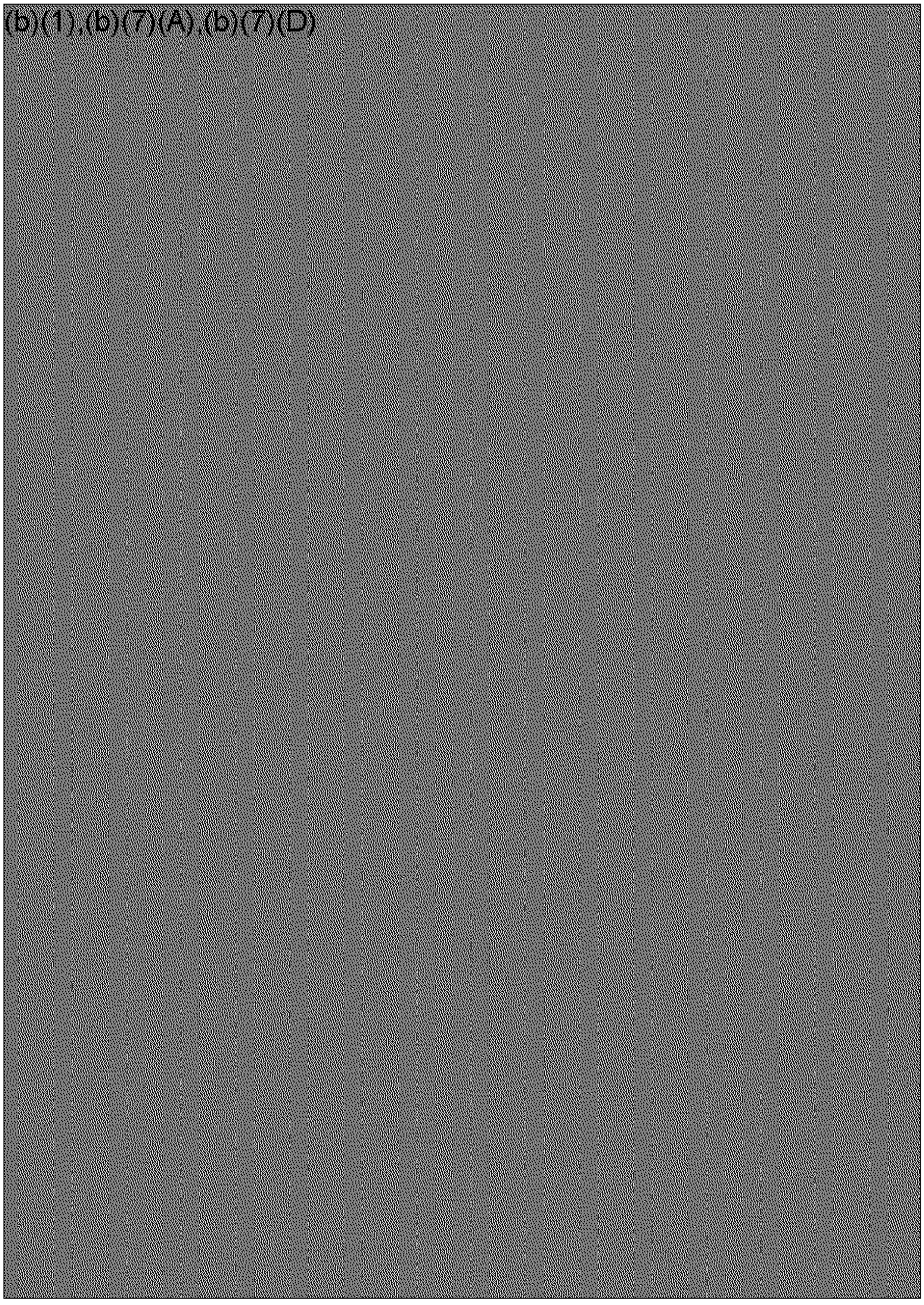


d. (U) **Operations, Combat and Capture**

(b)(7)(A)



(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1),(b)(7)(A),(b)(7)(D)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(D)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A),(b)(7)(D)

(b)(1)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 037, herein enclosed as Enclosure (5), Exhibit EC-C. There were no other matters submitted on behalf of ISN 037.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(1) (U) The detainee alleges he was abused by U.S. forces while detained and the abuse affected his statements (Enclosure 5). It is not practicable to determine whether the EC statements were coerced because the allegations rise to the level of coercion on their face and no investigation has been completed. By a 3-0 vote, the Board found the following EC statements probative based on the following factors:

(b)(1)

(b)(5)

(b)(5)

(b)(1),(b)(7)(D)

(b)(5)

(b)(1),(b)(5),(b)(7)(D)

d. ~~(S//NF)~~ **Recommendation.** ISN 037 (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15/11/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 038 (TUNISIA)**

- Subject ARB was held on 29 Aug 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) by initialing:

(b)(5) (Detain) _____

(b)(5) Transfer _____ Release _____

Attachments: 11-19

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 038

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

a. (U) **Travel**

(b)(7)(A)

(b)(7)(A)

b. (U) **Training**

(b)(1),(b)(7)(A)

c. (U) **Operations, Combat and Capture**

(b)(7)(A)

(b)(1),(b)(7)(A)

d. **(U) Organizational Affiliations**

(b)(1)

(a) (U) DHS reports the GIA is an Islamic extremist group. The GIA aims to overthrow the secular Algerian regime and replace it with an Islamic state. The GIA are connected to frequent attacks against civilians and government workers. Since 1992, the GIA has conducted a terrorist campaign of civilian massacres, sometimes wiping out entire villages in its area of operation. The group uses assassinations and bombings, including car bombs, and it is known to favor kidnapping victims and slitting their throats. (DMO-4)

(b)(1)

(b)(5)

(b) (U) The Tunisian Combatant Group (TCG) also known as the Jama'a Combattante Tunisienne, reportedly is seeking to establish an Islamic regime in Tunisia and targets the U.S. and Western interests. Tunisians associated with the TCG are part of the support network of the broader international jihadist movement. According to European press reports, TCG members or affiliates in the past have engaged in trafficking falsified documents and recruiting for terror training camps in Afghanistan. Some TCG associates are suspected of planning an attack against the U.S., Algerian, and Tunisian diplomatic missions in Rome in January 2001. (DMO-4)

(b)(1),(b)(7)(A)

e. (U) **Individual Affiliations**

(b)(1)

f. (U) **Behavior**

(b)(5)

g. (U) **Other Information**

(b)(1),(b)(7)(A)

h. (U) **Factors in Support of Release**

(b)(1),(b)(7)(A)

2. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Tunisia. No third party or home country statements were provided.

3. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

4. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1)

d. ~~(S//NF)~~ **Recommendation**. ISN 038 (b)(5)

5. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/14/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 039 (Yemen)**

- Subject ARB was held on 10 January 2008 resulting in a unanimous recommendation to [redacted] based on the following:

  - Threat Assessment: [redacted]
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

[redacted]

- Agency assessments follow:

DASD-DA	[redacted]
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO [redacted]

[redacted] (Detain) 3-17-08

[redacted] Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 039

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) Exhibit EC-A, "Notification of CSRT Determination" dated 7 January 2008, constitutes constructive notice of Enemy Notification of ISN 039, identified herein as enclosure (2).

d. (U) The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. Exhibit EC-B indicated the EC refused to attend the interview. The Joint Detention Group (JDG) liaison hand-carried two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the JDG point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

[redacted]

(2) (U) **Central Intelligence Agency (CIA)**

[redacted]

(3) (U) **Federal Bureau of Investigation (FBI)**

[redacted]

(4) (U) **Criminal Investigation Task Force (CITF)**

[redacted]

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

[redacted]

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

[redacted]

(7) (U) **Office of Military Commissions (OMC)**

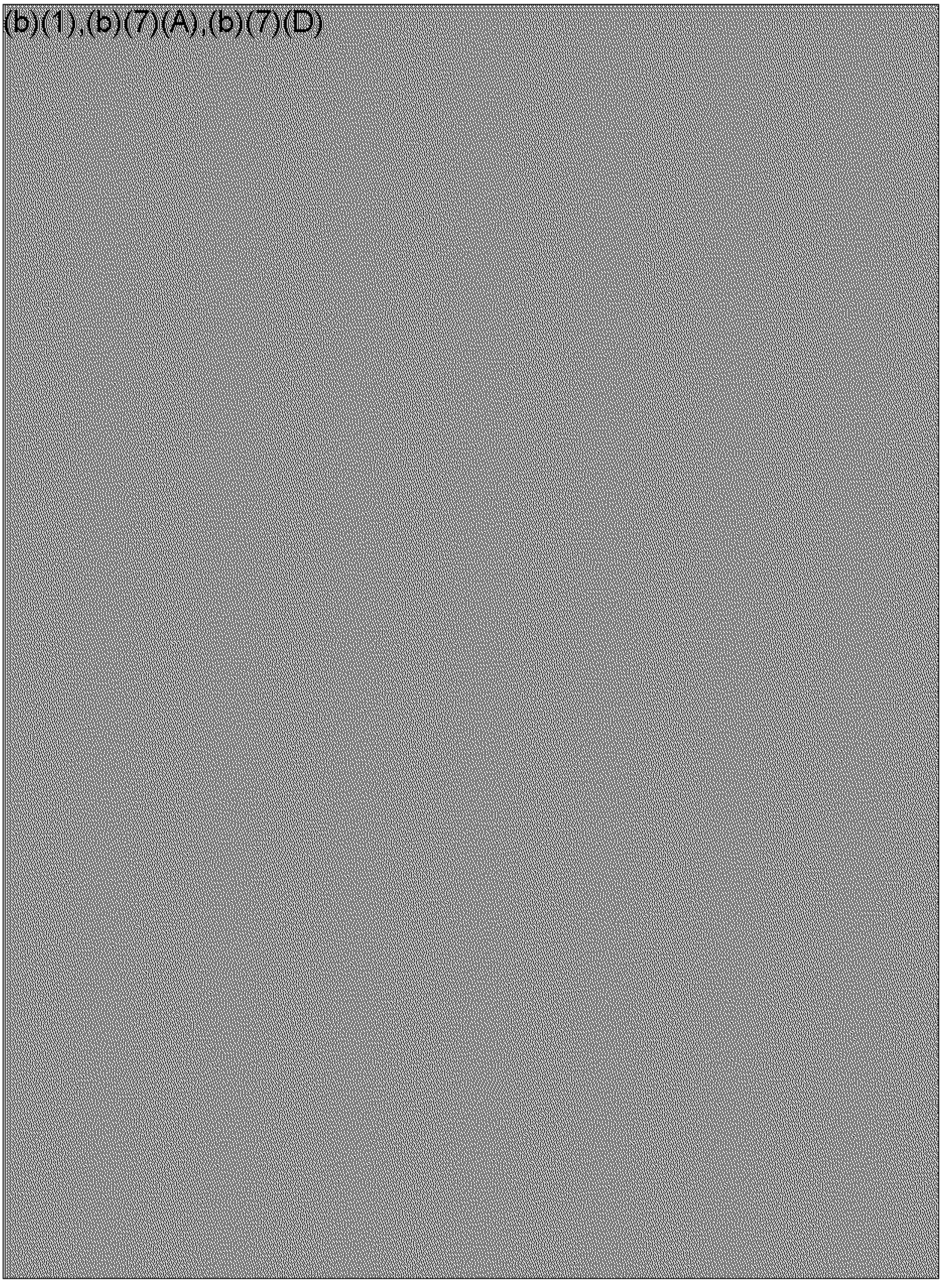
[redacted]

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A),(b)(7)(D)



b. (U) **Travel**

(b)(1),(b)(7)(A),(b)(7)(D)

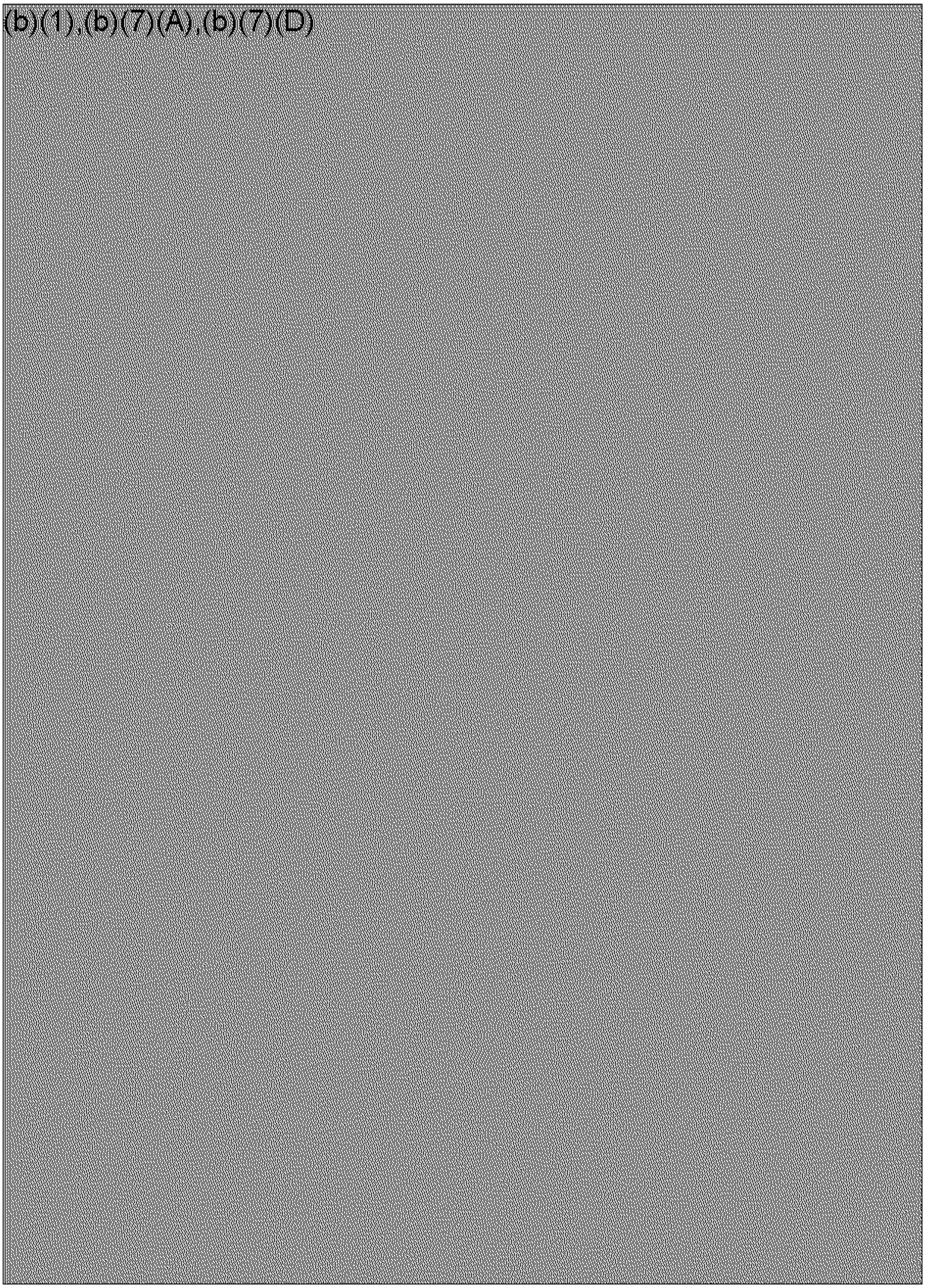
c. (U) **Training**

(b)(1),(b)(7)(A)

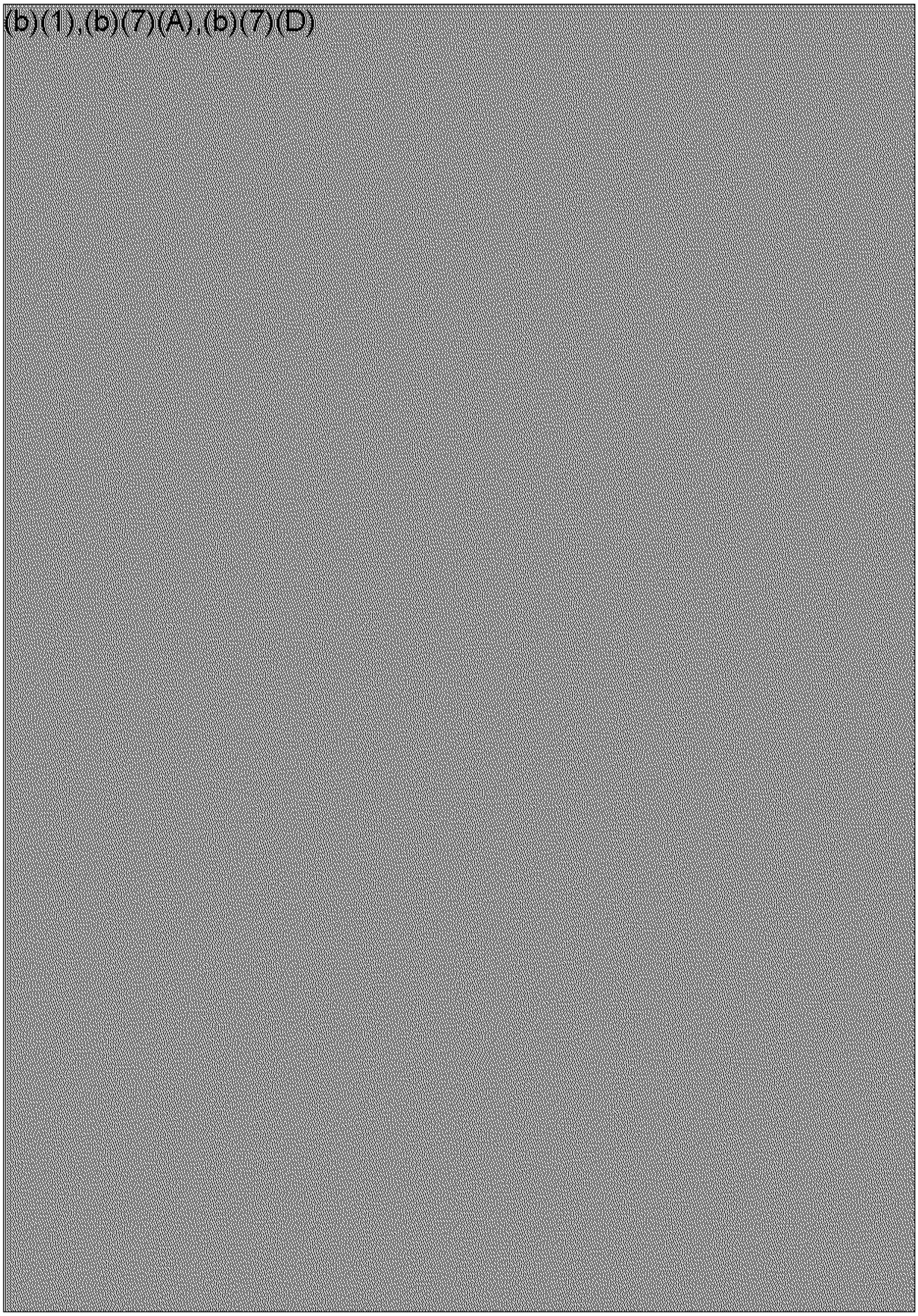
(b)(1),(b)(7)(D)

d. (U) **Operations, Combat and Capture**

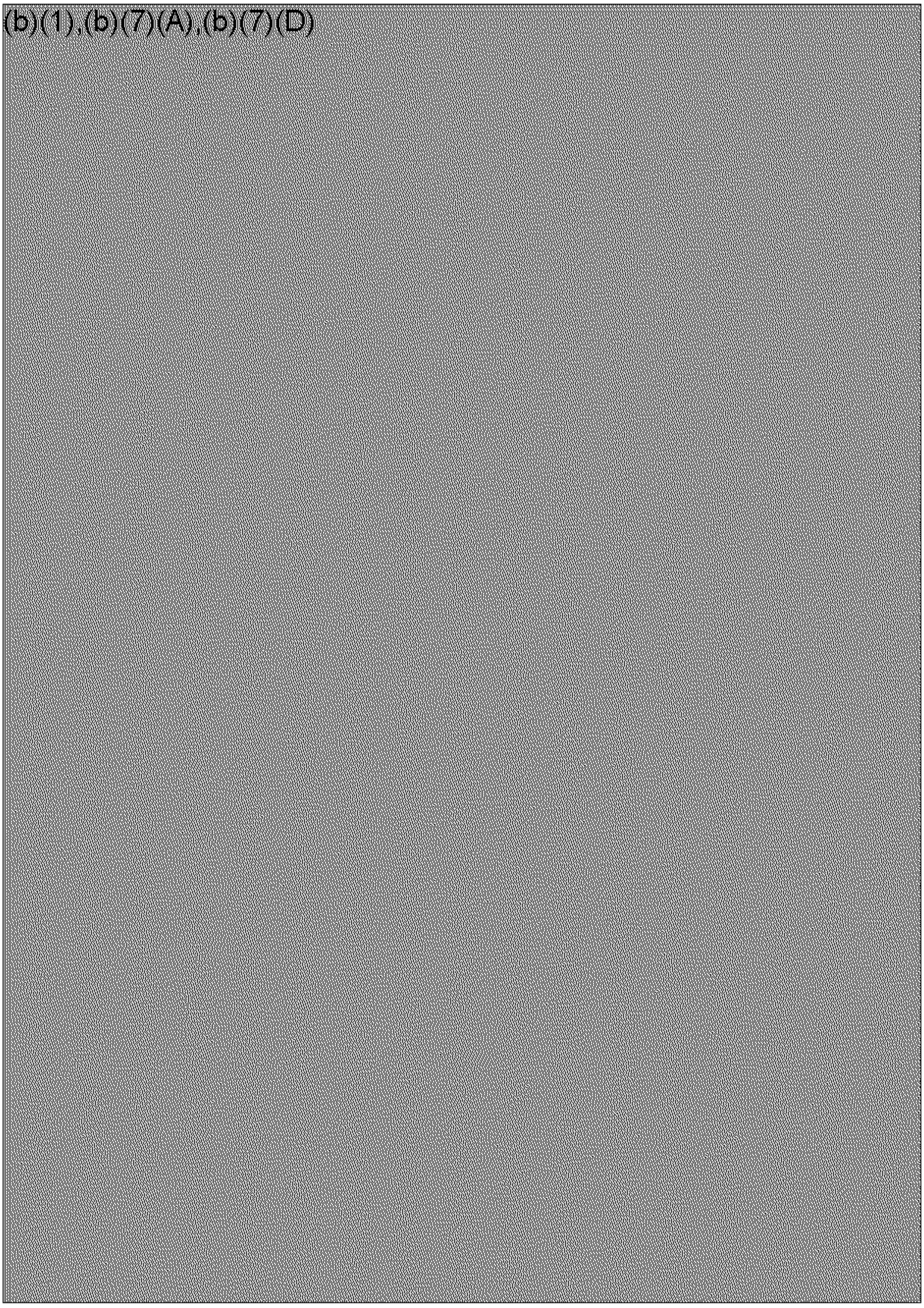
(b)(1),(b)(7)(A)


(b)(1),(b)(7)(A),(b)(7)(D)

(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

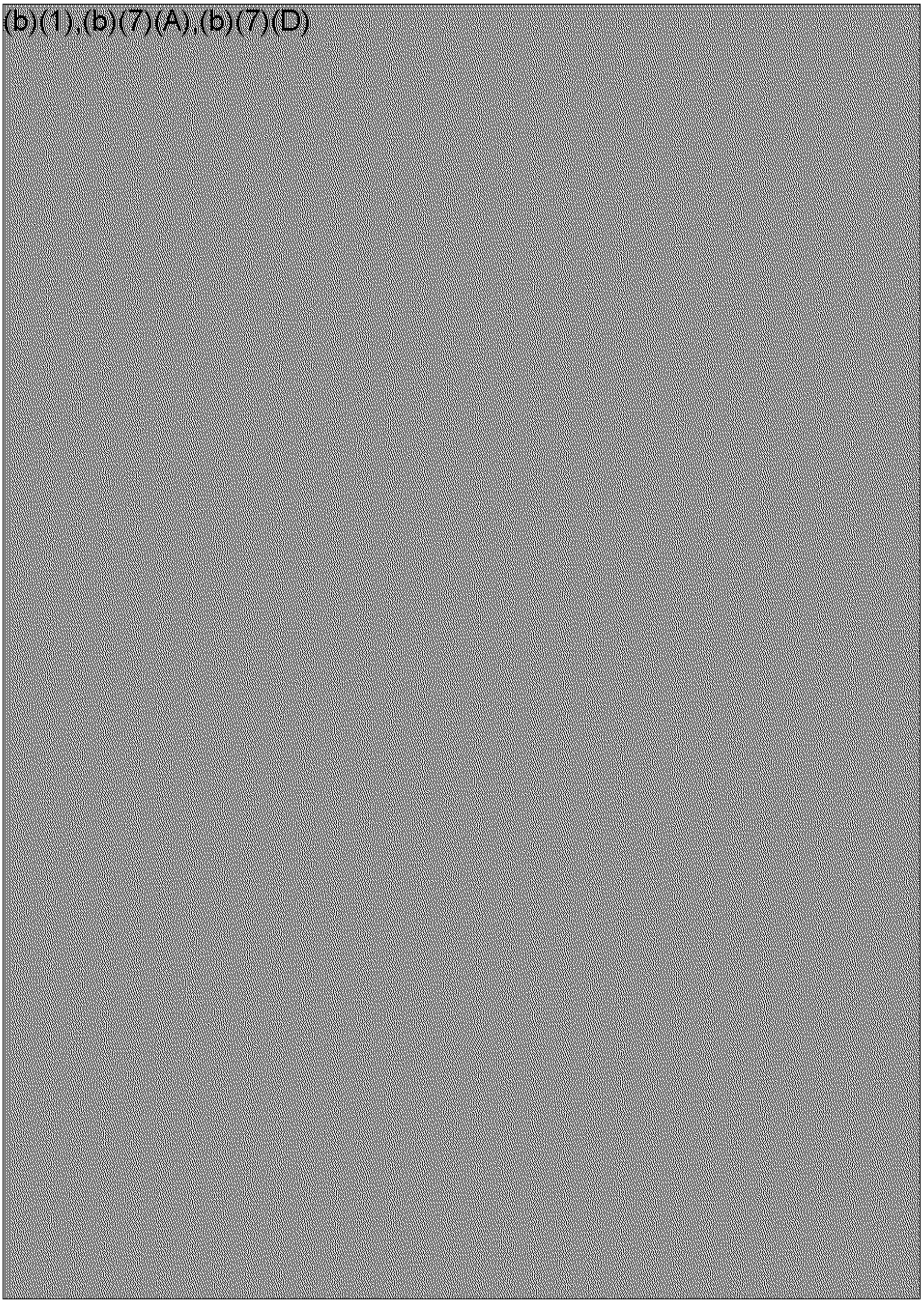
(7) (U) The EC stated he was a member of al Qaida and a terrorist. (DMO-45)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(a) (U) Hamas, a designated foreign terrorist organization, has used both political and violent means, including terrorism, to pursue the goal of establishing an Islamic Palestinian state in place of Israel. Hamas has conducted many attacks, including large-scale suicide bombings, against Israeli civilian and military targets. (DMO-2)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

[redacted]

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

[redacted]

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses [redacted] due to the following factors:

[redacted]

b. ~~(S//NF)~~ **Intelligence Value**. The EC is [redacted] due to the following factors:

[redacted]

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** [redacted]

d. ~~(S//NF)~~ **Recommendation**. ISN 039 [redacted]

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

[redacted]

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/10/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 040 (YEMEN)**

- Subject ARB was held on 20 December 2007 resulting in a unanimous recommendation to [redacted] based on the following:
  - Threat Assessment: [redacted]
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:

[redacted]

- Agency assessments follow:

DASD-DA	[redacted]
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO [redacted]

[redacted] (Detain) 2-22-08

[redacted] Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 040

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

a. (U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

b. **(U) Recruitment**

(b)(7)(A)

c. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

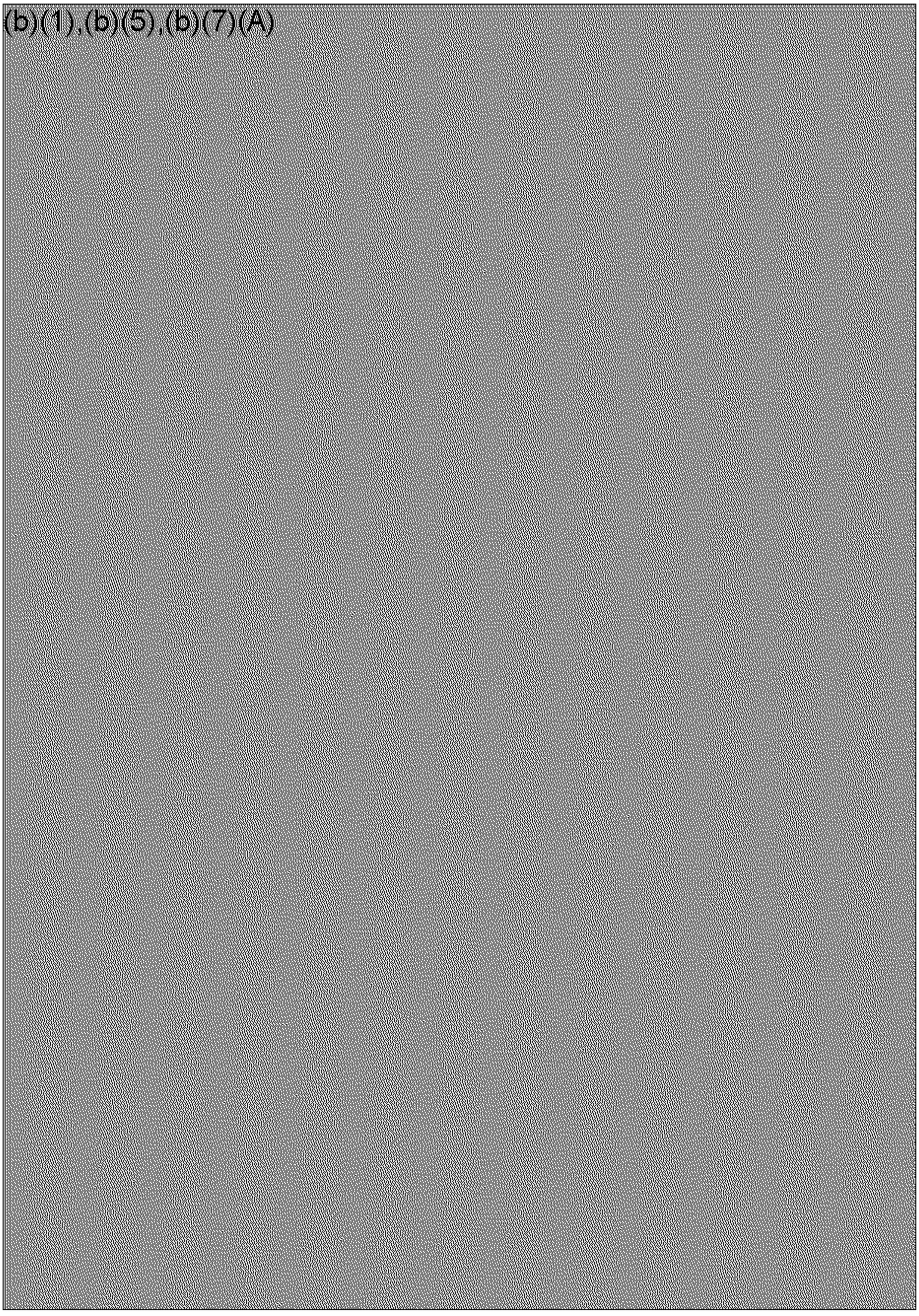
d. **(U) <u>Training</u>**

(b)(5)

e. (U) <u>Operations, Combat and Capture</u>

(b)(1),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)



(18)

f. (U) **Organizational Affiliations**

(b)(5)

g. (U) **Individual Affiliations**

(b)(5)

h. (U) **Behavior**

(b)(5)

i. (U) **Other Information**

(b)(1),(b)(7)(A)

j. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 040, herein enclosed as Enclosure (4), Exhibit EC-C. There were no other matters submitted on behalf of ISN 040.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 13 Feb 08

SUBJECT: ~~ADMINISTRATIVE~~ REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 041 (YEMEN)

- Subject ARB was held on 11 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 1-18-08

(b)(Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 041

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2)**(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(1),(b)(7)(A)

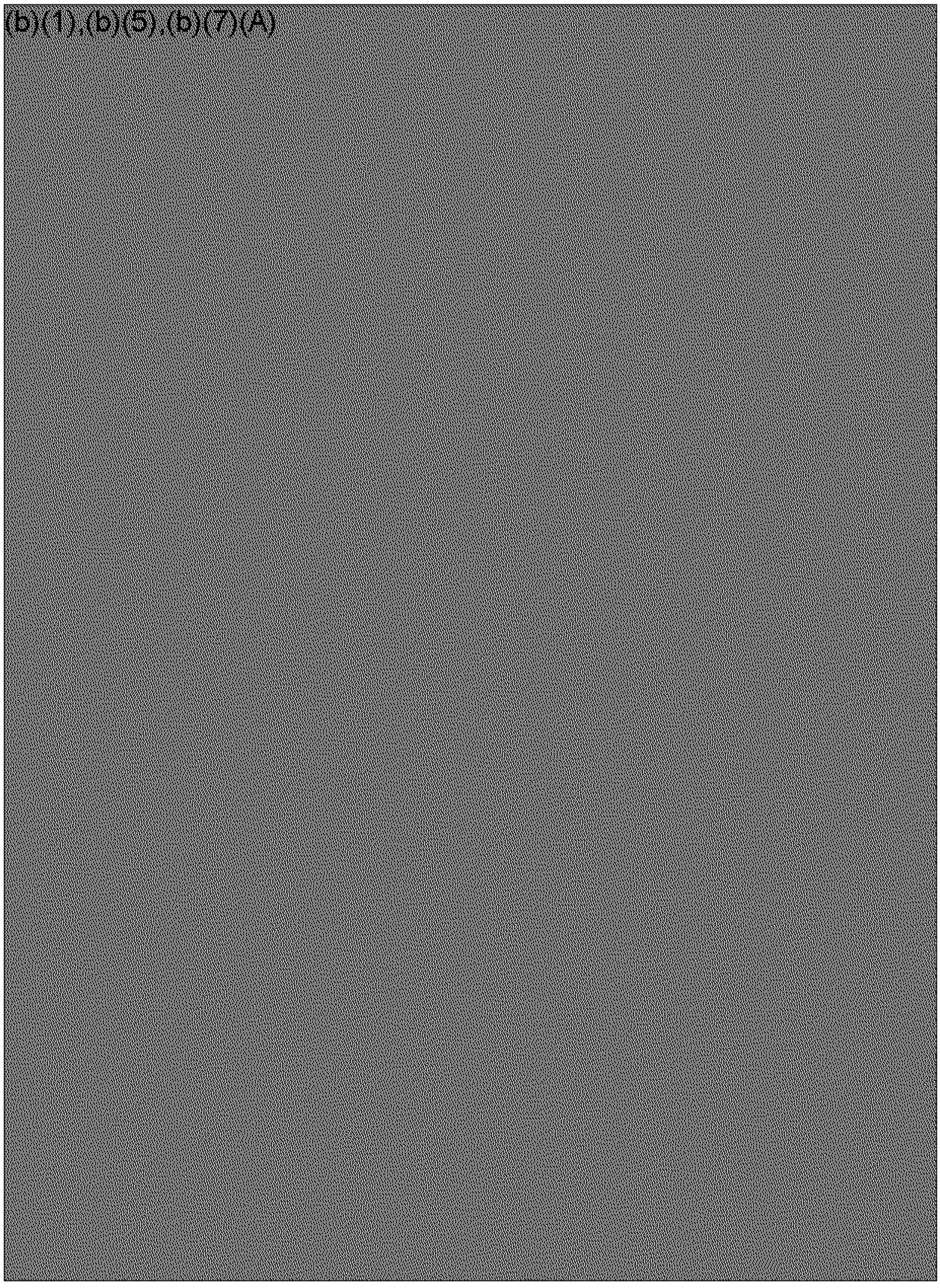
c. **(U) Training**

(b)(7)(A)

(b)(1),(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(5),(b)(7)(A)


(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1),(b)(5)

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

(b)(1),(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(5)

(b)(5)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/12/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 042 (SAUDI ARABIA)**

- Subject ARB was held on 15 January 2008 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-20

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 042

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(7)(A)

b. (U) **Travel**

(b)(1),(b)(7)(A)

(b)(7)(A)

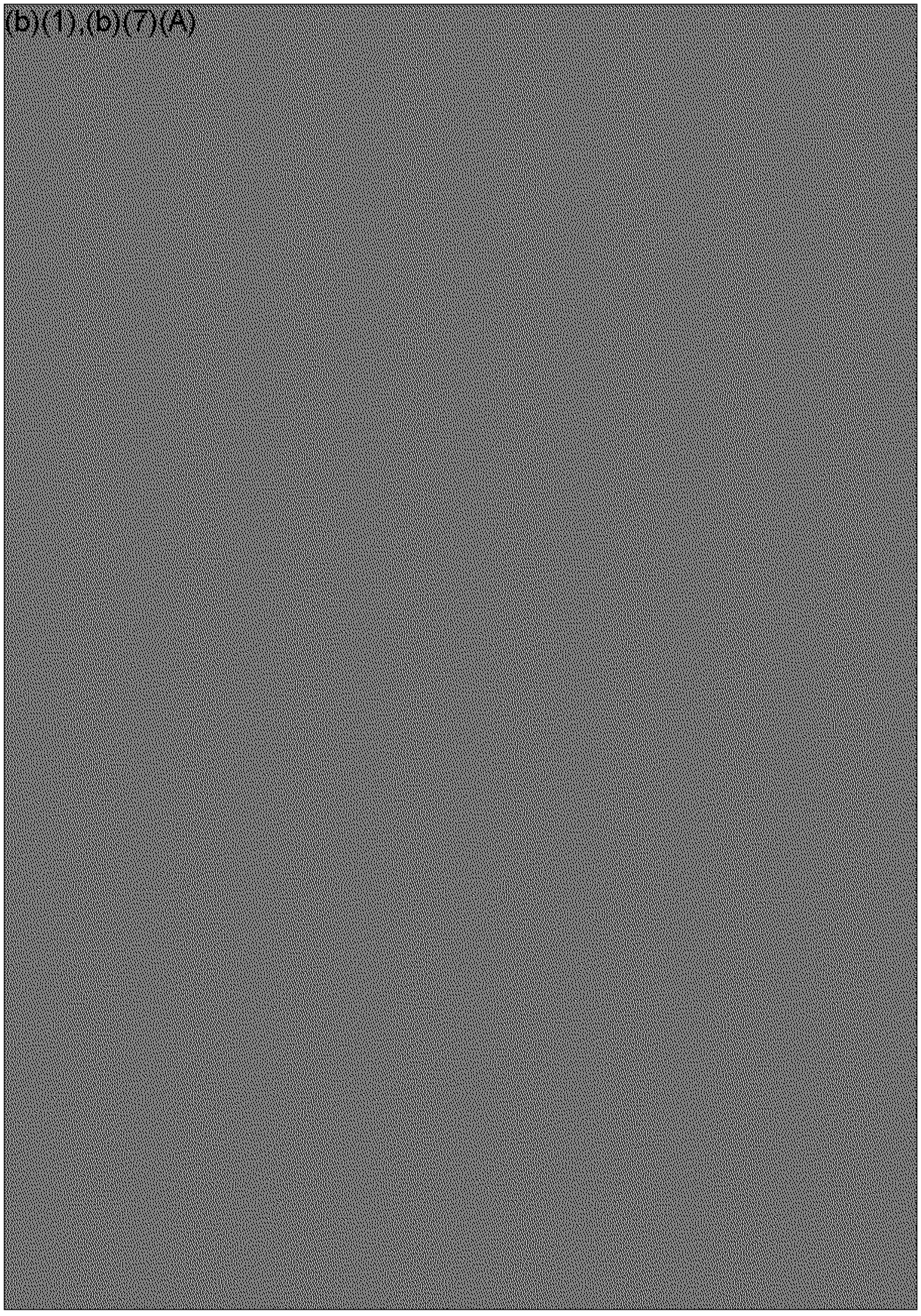
c. (U) **Training**

(b)(1)

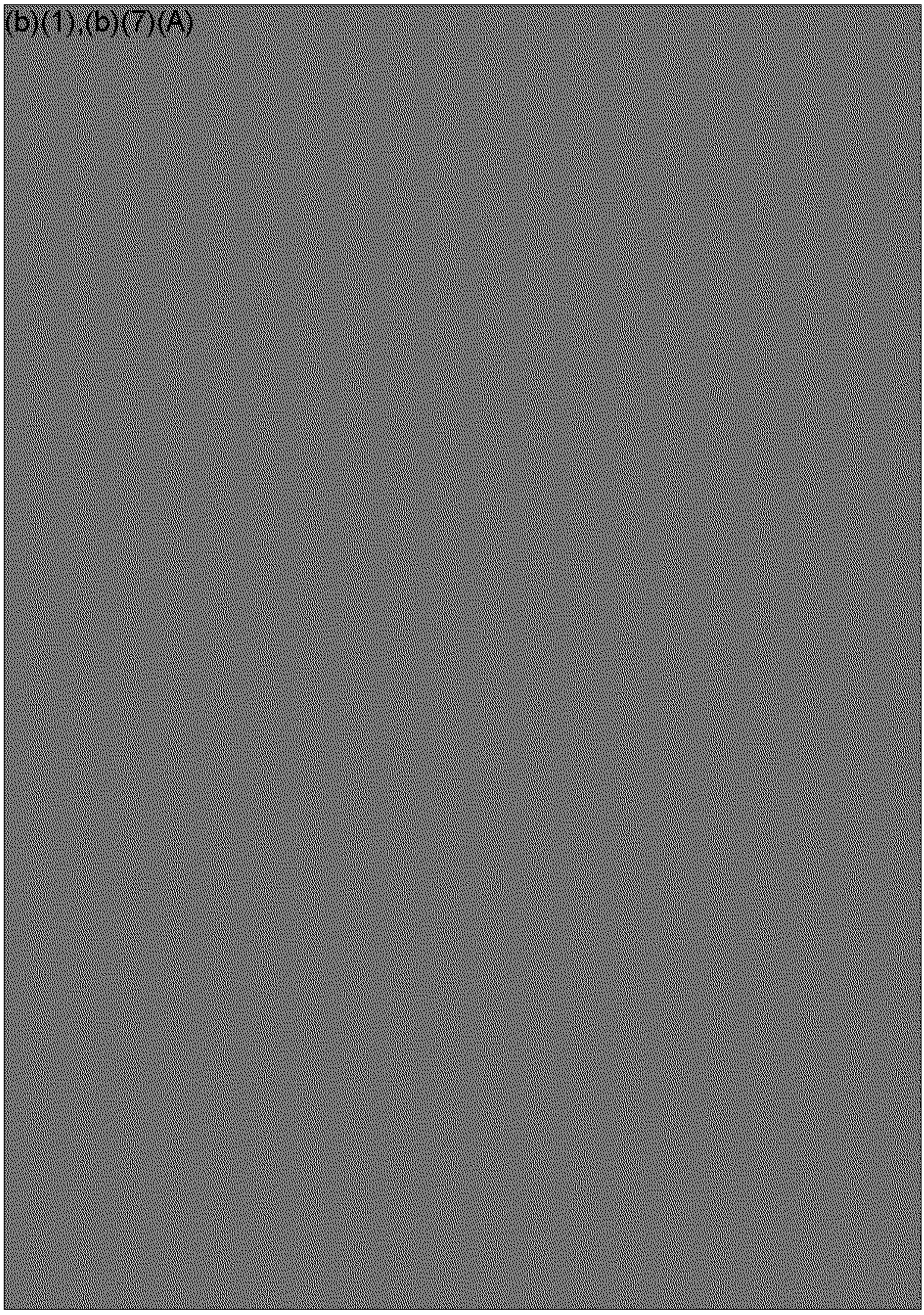
d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

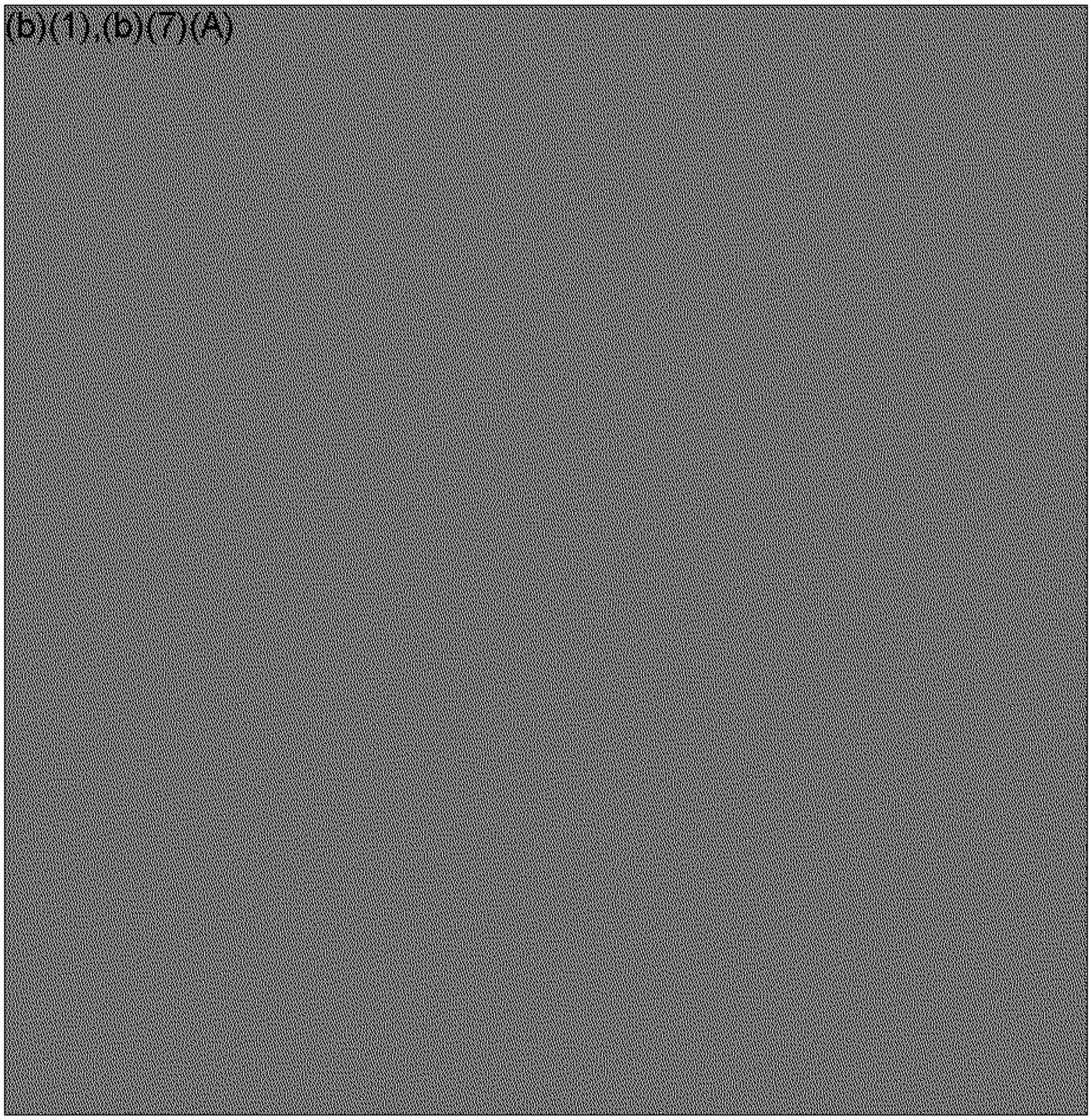
h. (U) **Other Information**

(b)(7)(A)

i. (U) **Factors in Support of**(b)(5)

(b)(7)(A)

(b)(1),(b)(7)(A)



5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Saudi Arabia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1),(b)(5)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10 1/12/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 043 (YEMEN)**

- Subject ARB was held on 30 November 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5) (Detain) 1-18-08

Transfer _____ Release _____

Attachments:

Tab A OARDEC ASIA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 043

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

c. (U) The following exhibits were not included in the Classified Review of Proceedings for reasons as noted:

(b)(5)

(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(1),(b)(7)(A)

(b)(7)(A)

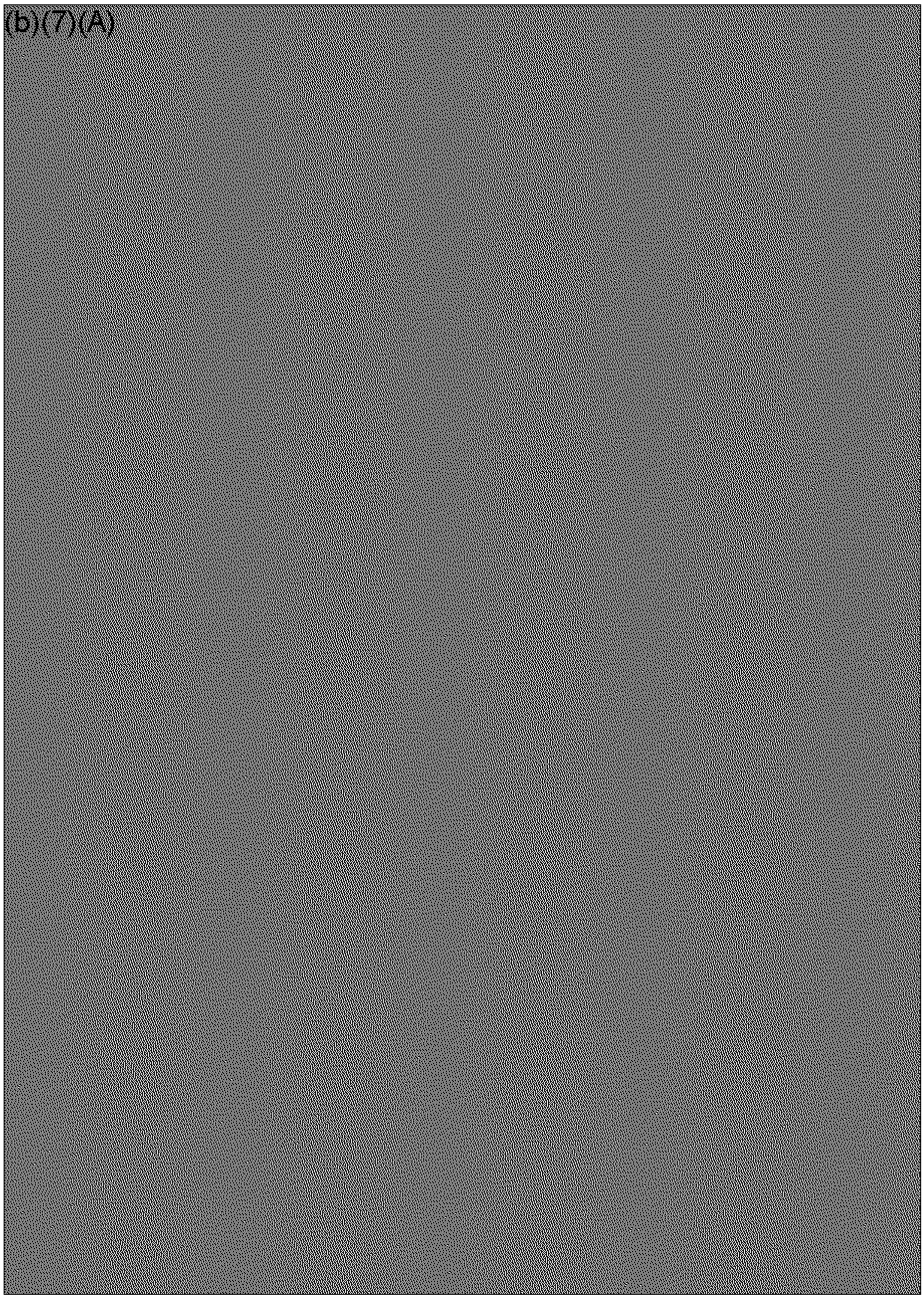
c. (U) **Training**

(b)(1),(b)(7)(A)

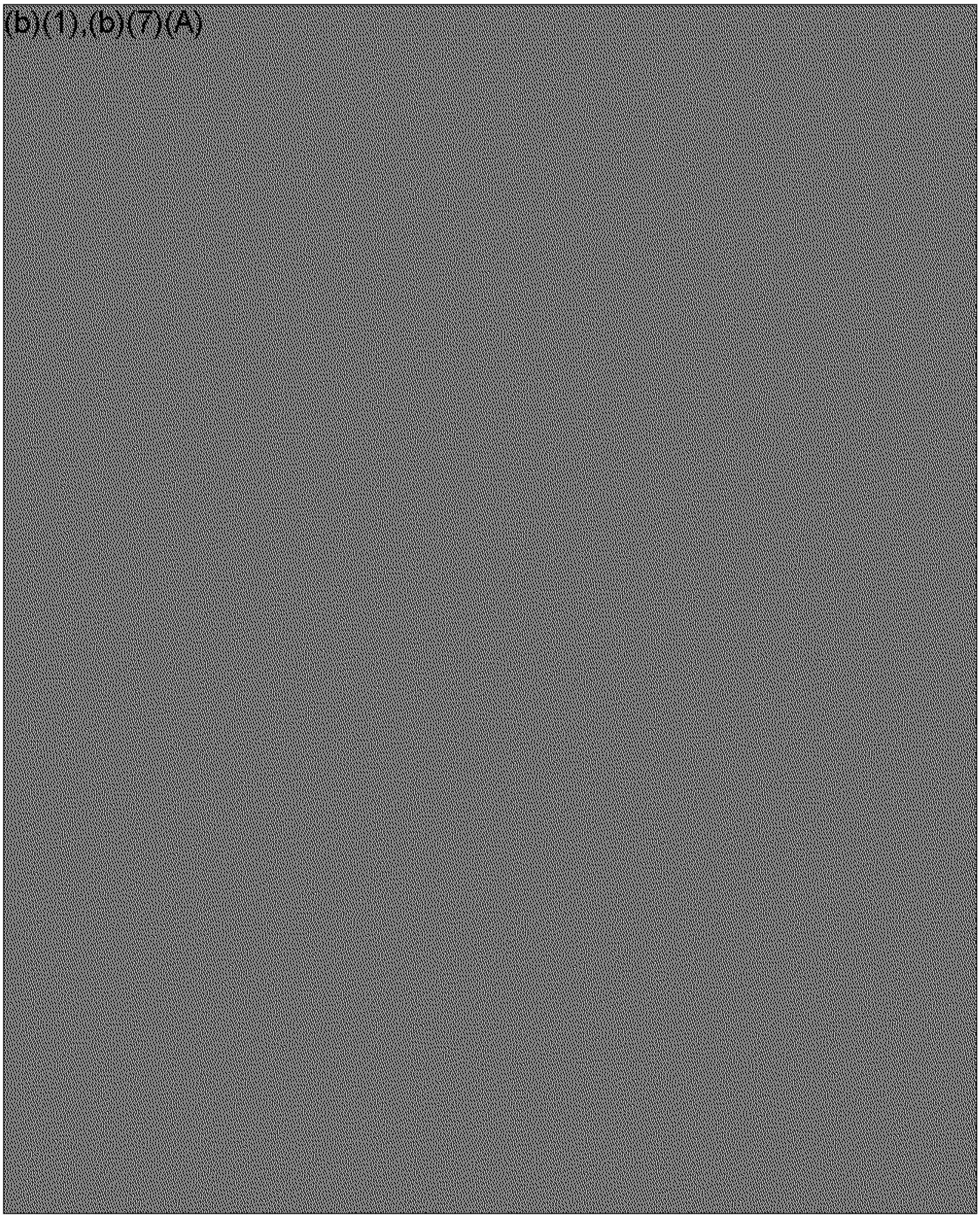
d. (U) **Operations, Combat and Capture**

(b)(7)(A)

(b)(7)(A)

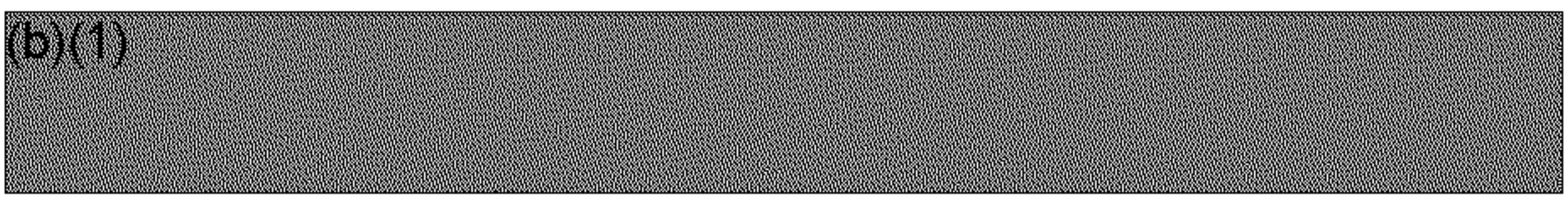


(b)(1),(b)(7)(A)



e. (U) **Organizational Affiliations**

(b)(1)



ISN 043
Enclosure (4)
Page 6 of 11

(b)(7)(A)

(b)(5)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(7)(A)

g. (U) **Behavior**

(b)(5)

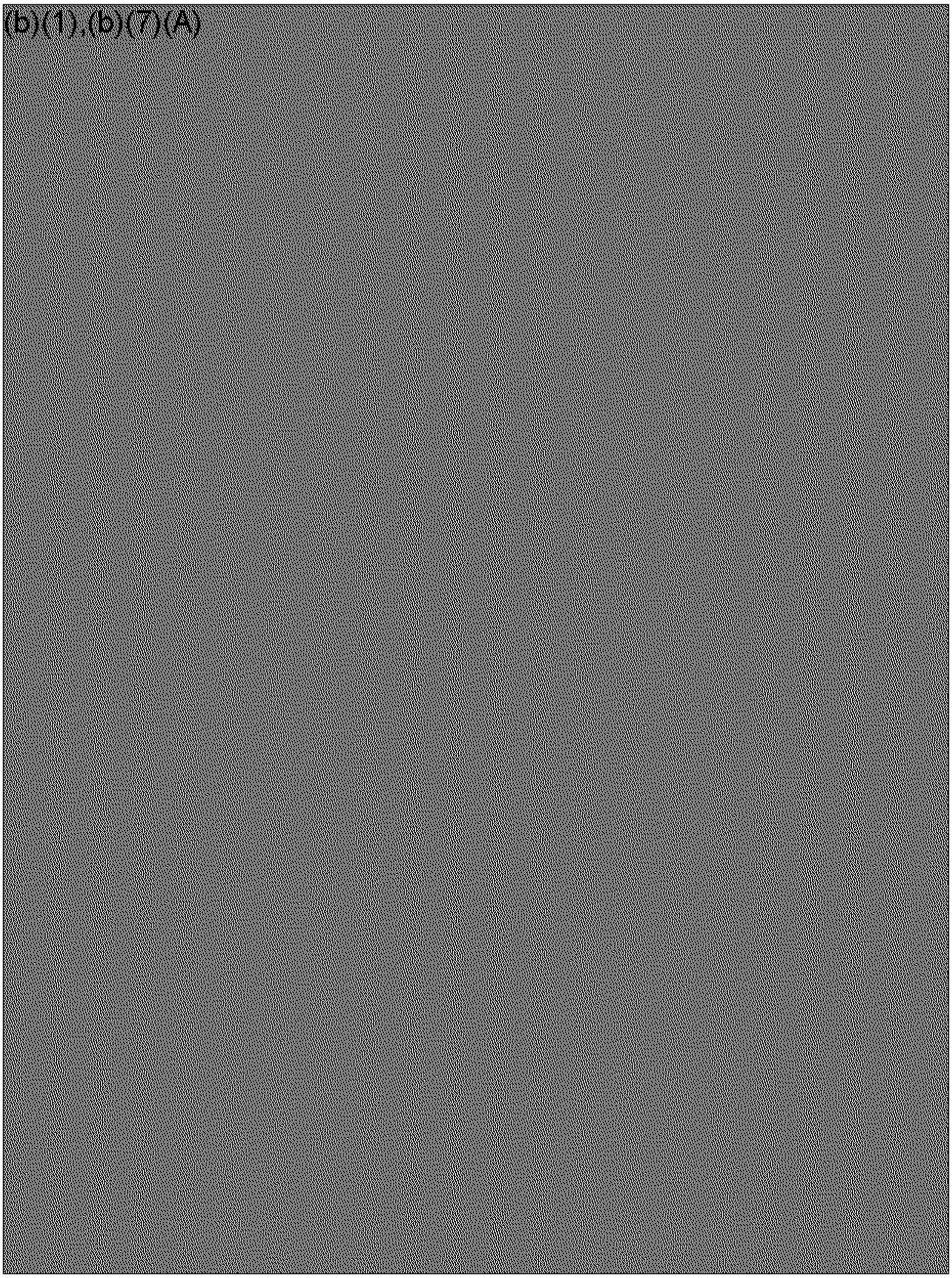
h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(1),(b)(7)(A)



5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **EC Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/29/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 044 (YEMEN)**

- Subject ARB was held on 15 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 3-17-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 044

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was unresponsive and uncooperative, thereby declining to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2)**(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Military Commissions Act (MCA) of 2006**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. **(U) <u>Training</u>**

(b)(1)

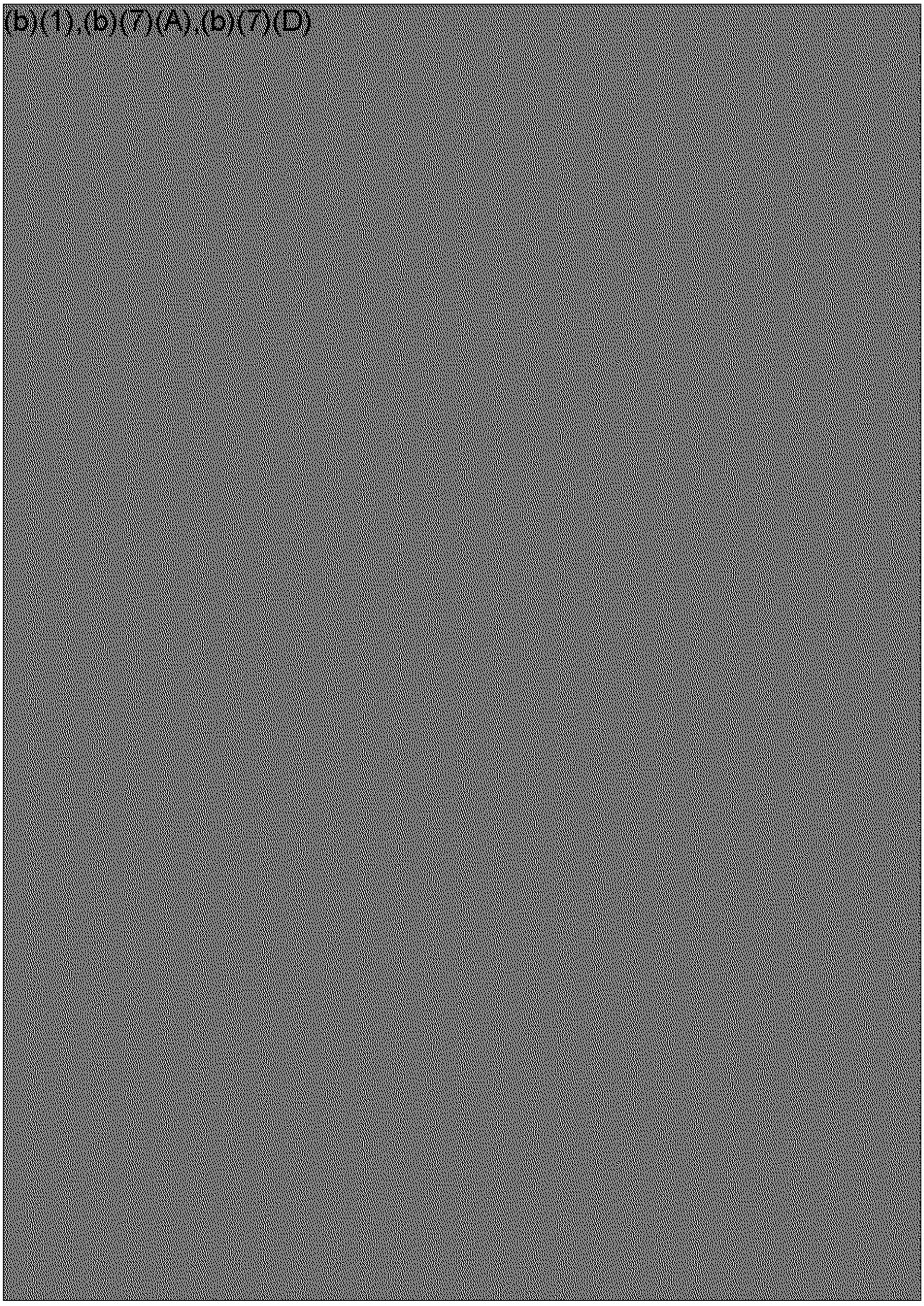
(b)(7)(A)

d. **(U) <u>Operations, Combat and Capture</u>**

(1) (U) The EC was jailed in a Saudi Arabian in January 1988 for his attempt to smuggle Saggar Missiles into Saudi Arabia with al Qaida associates. (DMO-2)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

(a) (U) Hizballah has been designated as a Foreign Terrorist Organization by the United States Secretary of State. (DMO-3)

(b)(1),(b)(7)(A),(b)(7)(D)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A),(b)(7)(D)

g. (U) **Behavior**

(b)(1),(b)(5)

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1)

(2) (U) The EC was arrested in Bayt Habra, Yemen for stealing rental cars and spent approximately eight months in a Yemen jail in 1999. (DMO-2)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is (b)(5) due to the following factors:

(b)(1)

(b)(1)

(6) ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(1),(b)(5),(b)(7)(D)

c. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous de

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 11/4/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 045 (YEMEN)**

- Subject ARB was held on 6 September 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

(b)(5)

- Threat Assessment:
- Intelligence Value:
- Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 11-13

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 045

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC appeared to understand the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

e. (U) **Organizational Affiliations**

(b)(5)

(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. ISN 045 (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/9/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 046 (TUNISIA)**

- Subject ARB was held on 07 June 2007 resulting in a unanimous recommendation (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include: (b)(1)
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) Transfer with Conditions 10-9-07

(b)(5) Detain _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 046

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed that copies of the Unclassified Summary of Evidence, both English and Arabic translated versions, were delivered to the Joint Detention Group liaison for delivery to the EC.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

(b)(1)

(a) (U) * A Rome, Italy newspaper article reported the Imam at the Turin mosque, Bouriqui Bouchta, sent his brothers to Milan for departure for the jihad. The article identified Mohammed Aouzar and the EC as two of the men sent to the jihad by the Imam. (DMO-5)

(b) (FOUO) * La Repubblica, an Italian newspaper, reported Bouriqui Bouchta has served as Imam in four of Turin's mosques. Bouchta calls himself a salafist and advocates a radical Wahhabist version of Islam. Bouchta has spoken out in favor of militant jihad and claimed Usama Bin Laden had nothing to do with the 11 September 2001 attacks. It is alleged that Bouchta has supported terrorist operations in Bosnia, Chechnya, Afghanistan, and Iraq. Bouchta called for jihad against the United States when it invaded Afghanistan later in 2001. (DMO-21)

(c) (U) * Turin La Stampa, an Italian newspaper, reported the EC, his brother Zuheir, and Mohammed Aouzar were enrolled as soldiers of the jihad in Milan. The secretary of the Imam and one of al Qaida's most important contact men in Italy, Abdel Halim Remadna, enrolled the men. Remadna had direct contact with Abu Jaafar, one of the heads of the Afghani training camps. (DMO-6)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

(a) (U) * Turin La Stampa, an Italian newspaper, reported the EC and Mohammed Aouzar left Italy on 1 July 2001 for Tehran. (DMO-6)

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(1) (FOUO) * La Repubblica, an Italian newspaper, reported U.S. and Italian authorities had identified an al Qaida cell in Turin. Two members of the cell were ISN 133, Mohammad Aouzar, and the EC, and both were captured in Afghanistan. (DMO-21)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of Release**

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Tunisia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. The Board concurs with JTF-GTMO and DASD-DA's recommendation that ISN 046 should be (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/19/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 048 (UNITED ARAB EMIRATES)**

- Subject ARB was held on 31 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 9-17

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 048

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive. The AMO verbally described how the EC remained silent throughout the interview.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, who gave no sign whether he understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

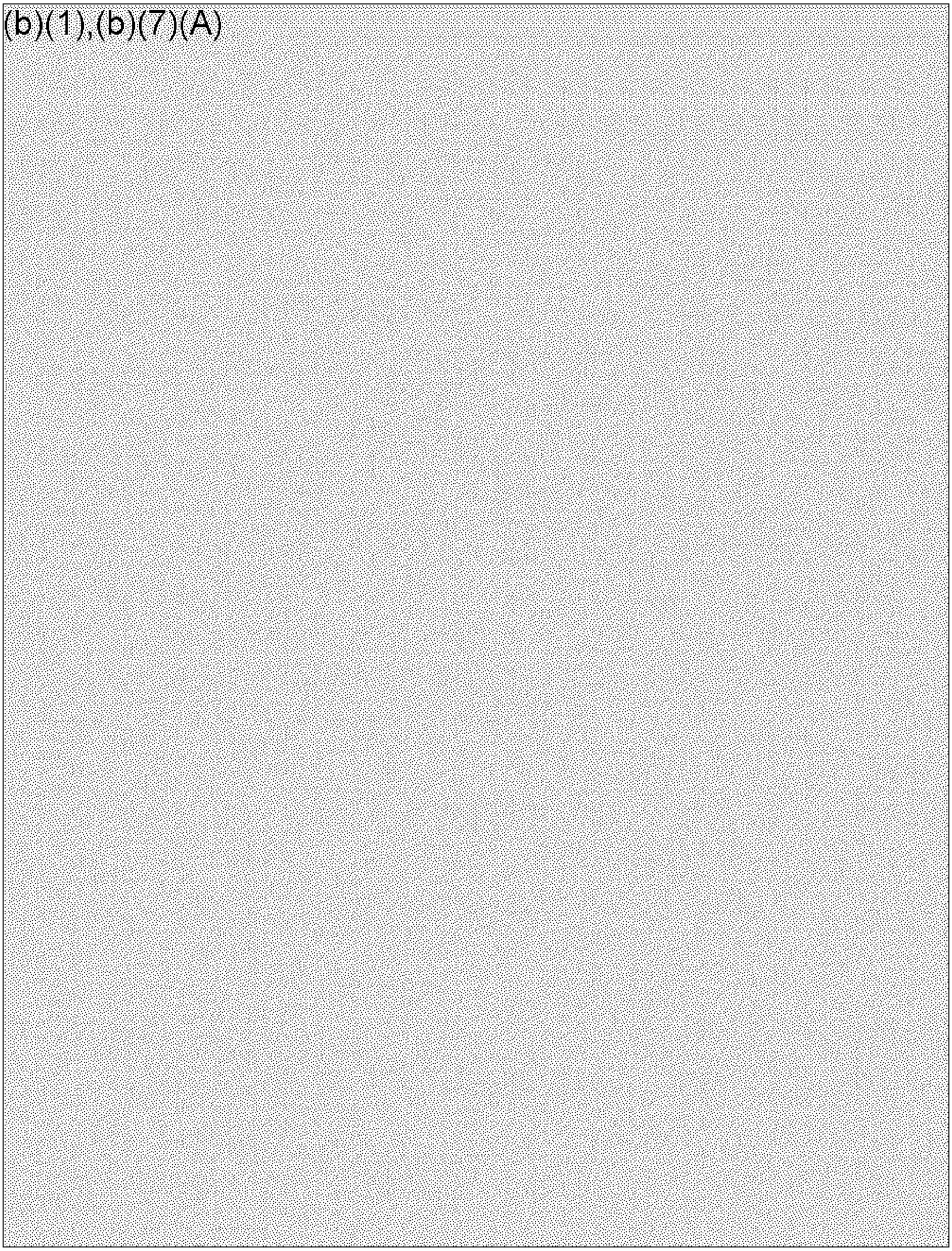
c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(5)

(b)(1),(b)(5)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of the United Arab Emirates. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.** The EC poses a (b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** ISN 048 (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18 1/30/09

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 049 (PALESTINE)**

- Subject ARB was held on 07Aug 2007 (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) (Transfer (b)(5) 11-8-07 (b)(5) Detain_____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 049

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his weapons training, his future plans, and his perception of U.S. forces All EC testimony and comments are included in enclosure (4).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. (U) Recruitment

(b)(1),(b)(7)(A)

b. (U) Travel

(b)(7)(A)

(b)(7)(A)

c. (U) Training

(b)(5),(b)(7)(A)

d. (U) Operations, Combat and Capture

(b)(1),(b)(7)(A)

e. (U) Organizational Affiliations

(b)(1)

(b)(1)

f. **(U) Individual Affiliations**

(1) (U//FOUO) The board notes there were no significant individual affiliations for this EC.

g. **(U) Behavior**

(b)(1),(b)(5)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Palestine. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 049, herein enclosed as Enclosure (5). There were no other matters submitted on behalf of ISN 049.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is o (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation**. The board recommends the EC (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/25/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 054 (SUDAN)**

- Subject ARB was held on 23 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-4-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 054

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) Exhibit EC-A, Notification of CSRT Determination, dated 7 January 2008, constitutes constructive notice of Enemy Combatant Notification of ISN 1458, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. This statement is documented in Exhibit EC-B. The AMO attempted to deliver two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the EC as per JDG Standard Operating Procedures, but the EC refused both documents.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2)(U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(7)(A)

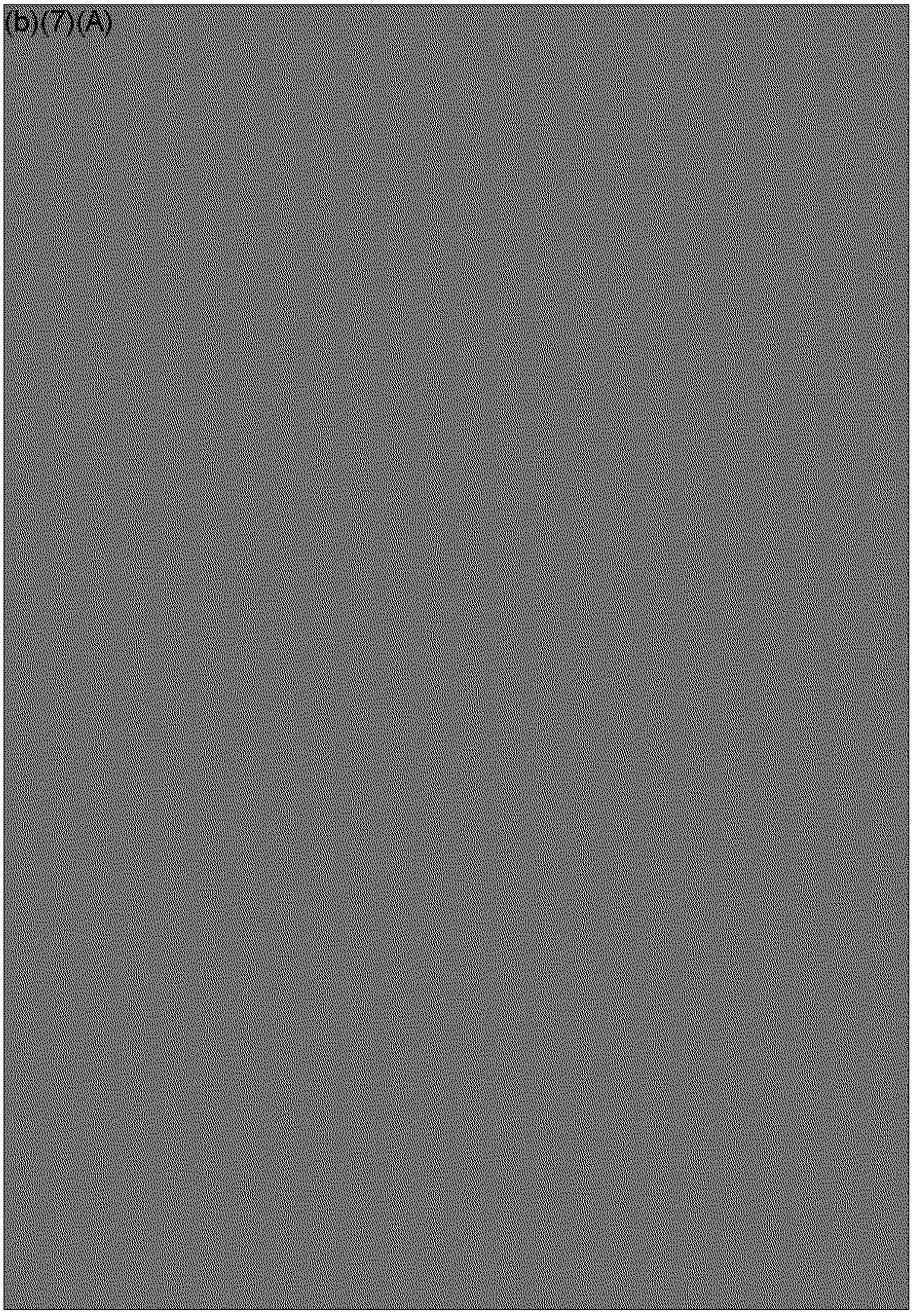
c. **(U) Training**

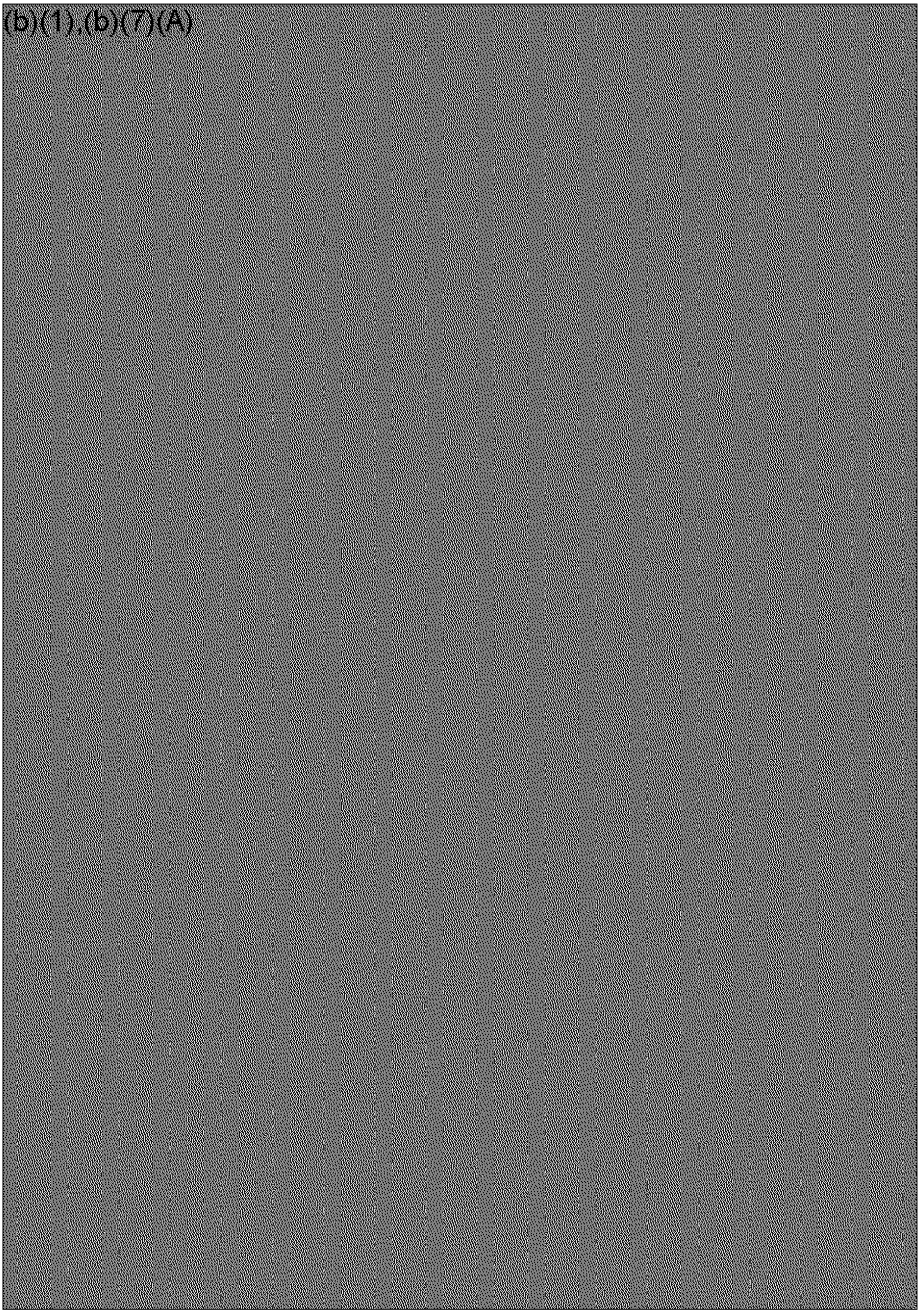
(b)(1),(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(7)(A)

(b)(7)(A)

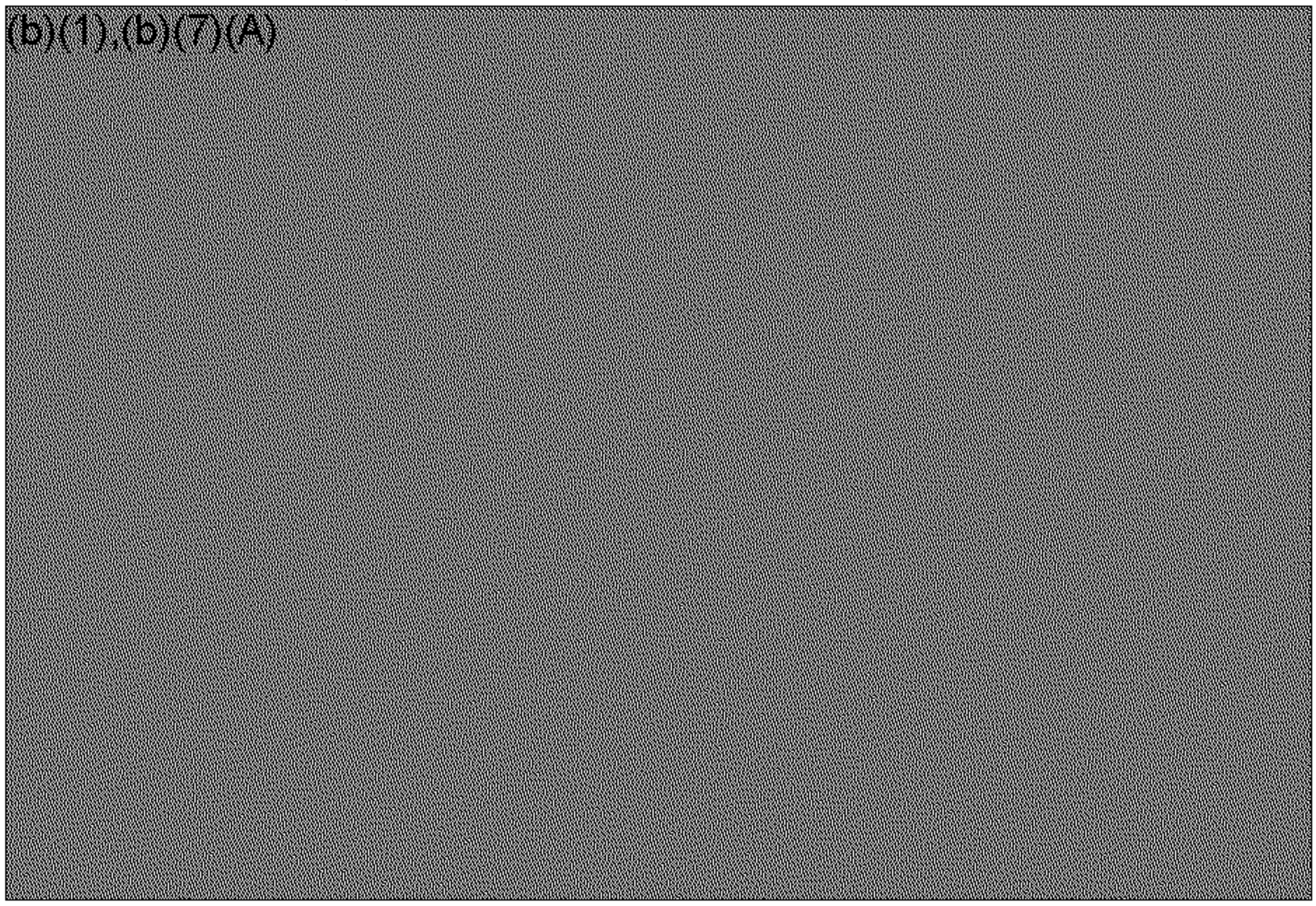




ISN 054
Enclosure (4)
Page 5 of 9

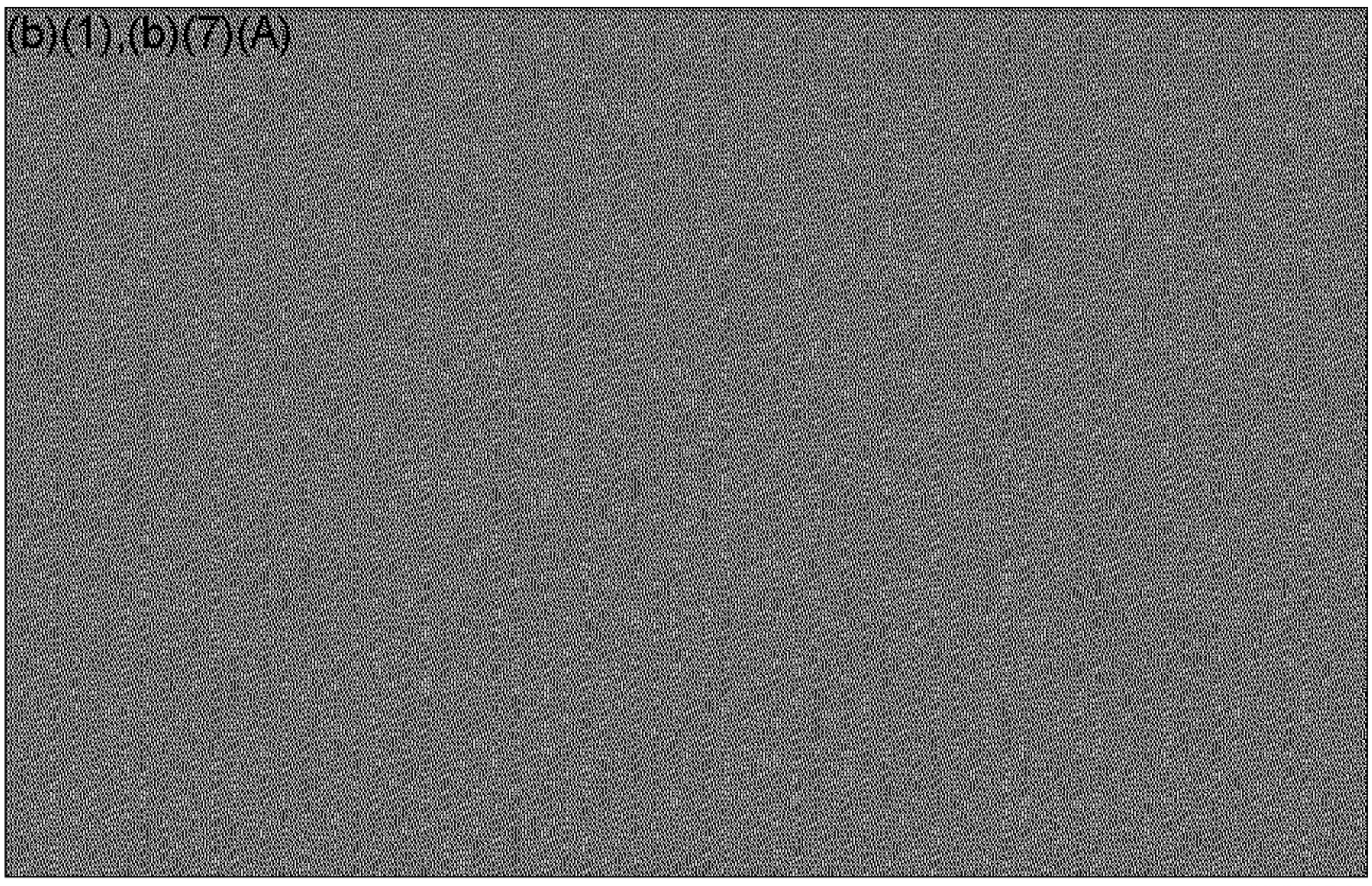
e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)



f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Sudan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ Detainee Treatment Act Consideration (b)(5)

(b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ Recommendation (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b.(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/18/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 063 (SAUDI ARABIA)**

- Subject ARB was held on 24 January 2008 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) (Detain) 2-27

Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 063

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. The AMO attempted to deliver two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the EC. The EC refused to allow the linguist to read the translated versions. The AMO then attempted to deliver to the EC a copy of the translated version of the Unclassified Summary of Evidence, the EC refused to accept this document. The AMO notified the Joint Detention Group (JDG) of the EC's refusal.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1)

(b)(1),(b)(7)(A)

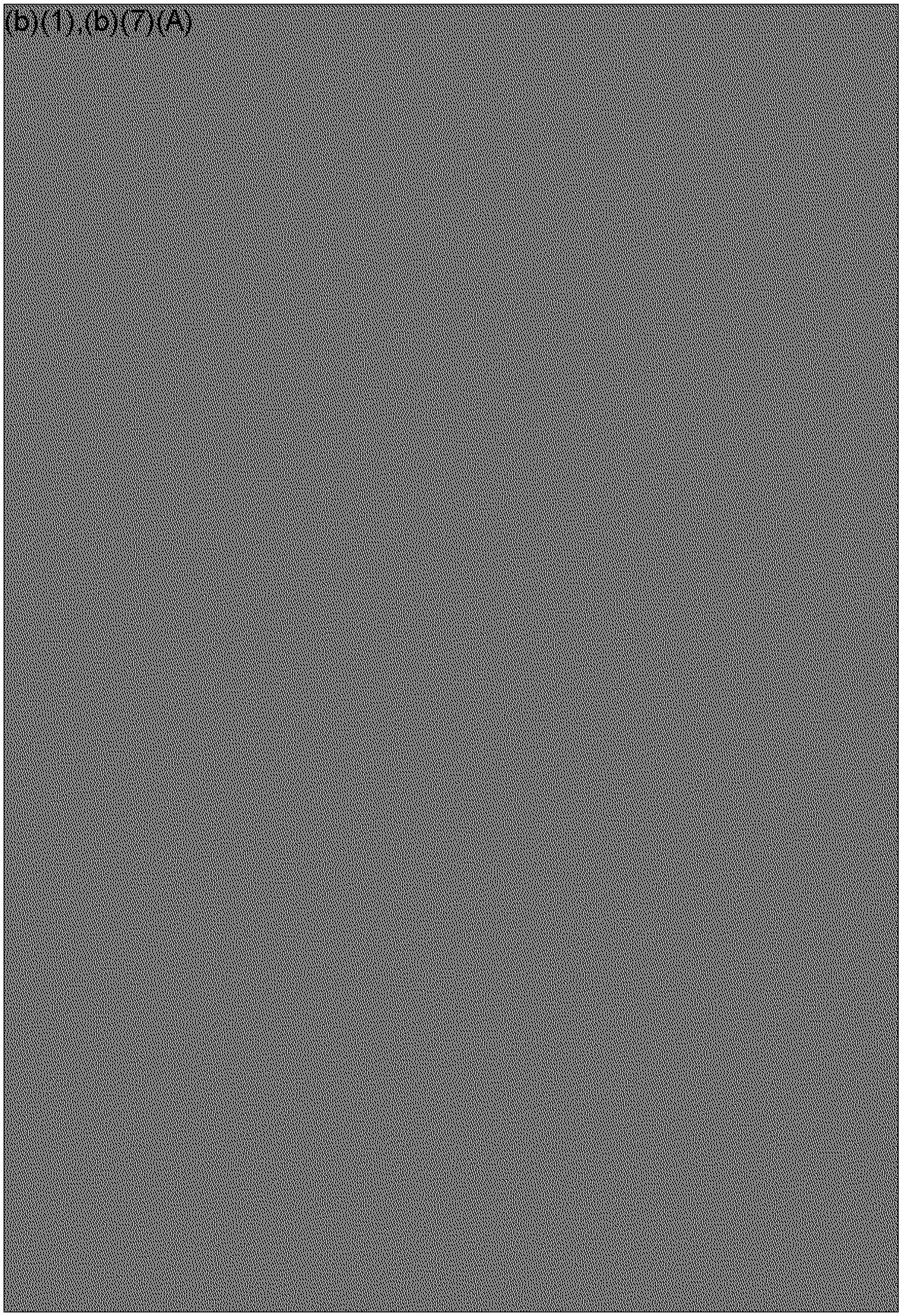
c. (U) **Training**

(b)(1),(b)(7)(A)

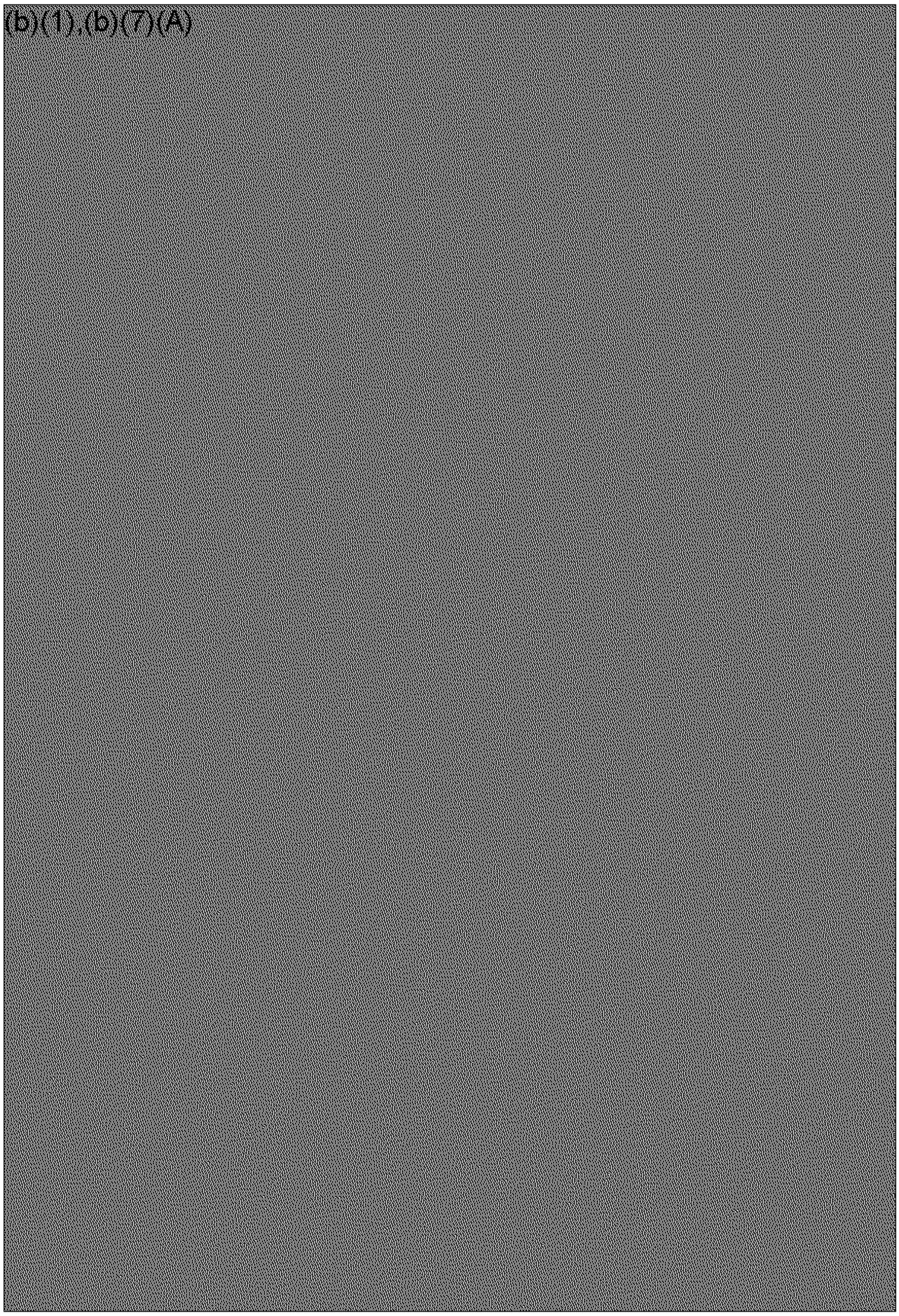
d. (U) **Operations, Combat and Capture**

(b)(7)(A)

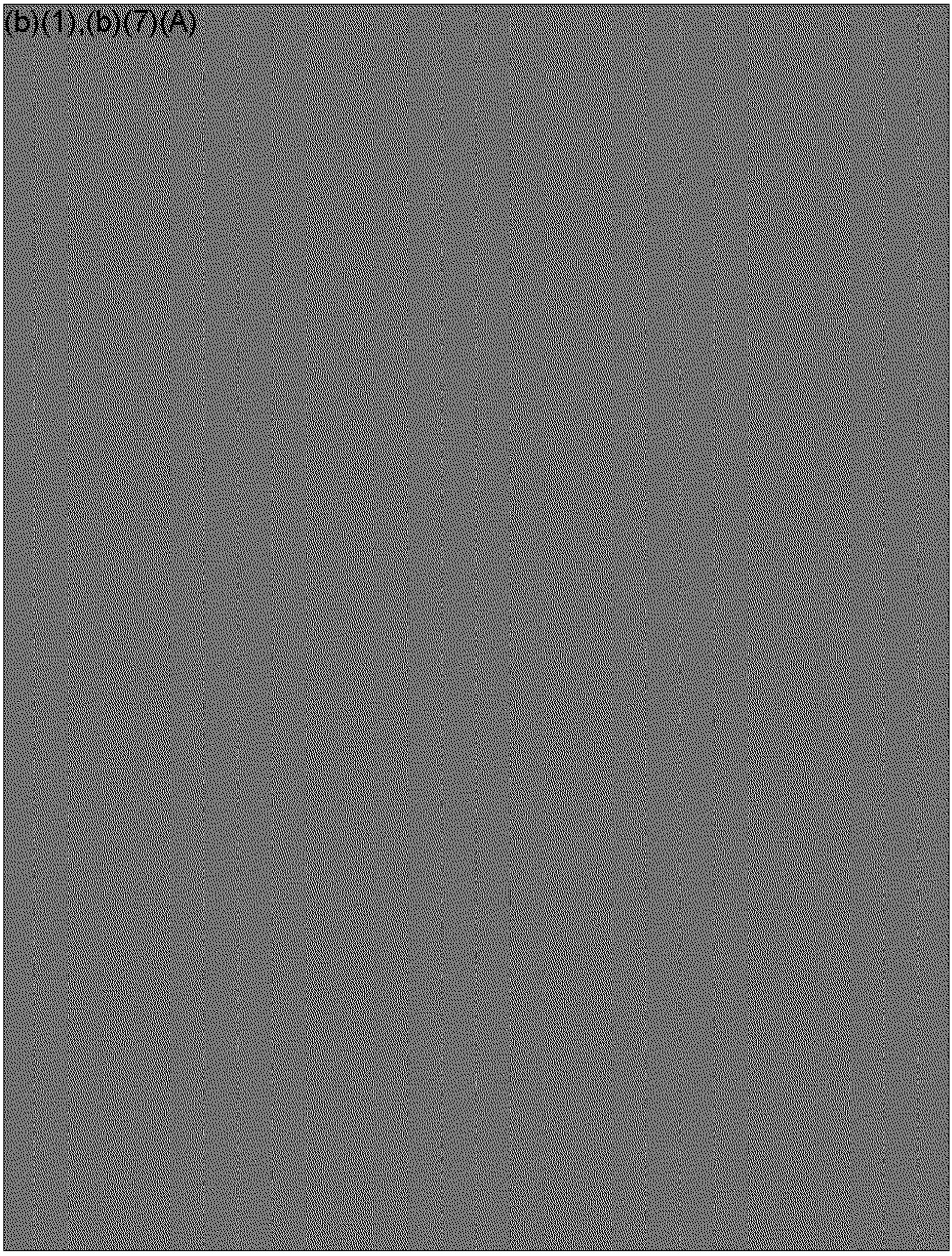
(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

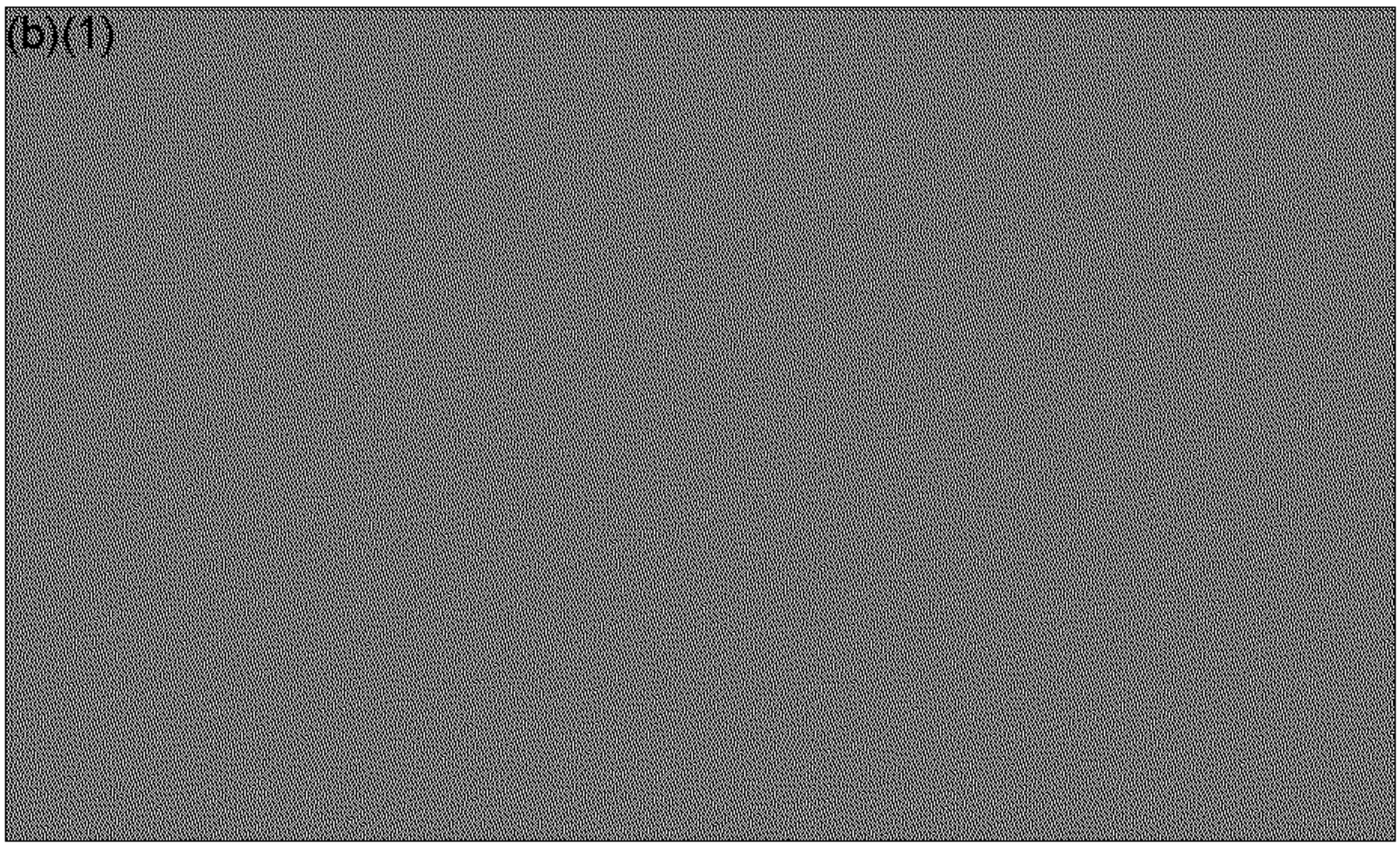


(b)(1),(b)(7)(A)



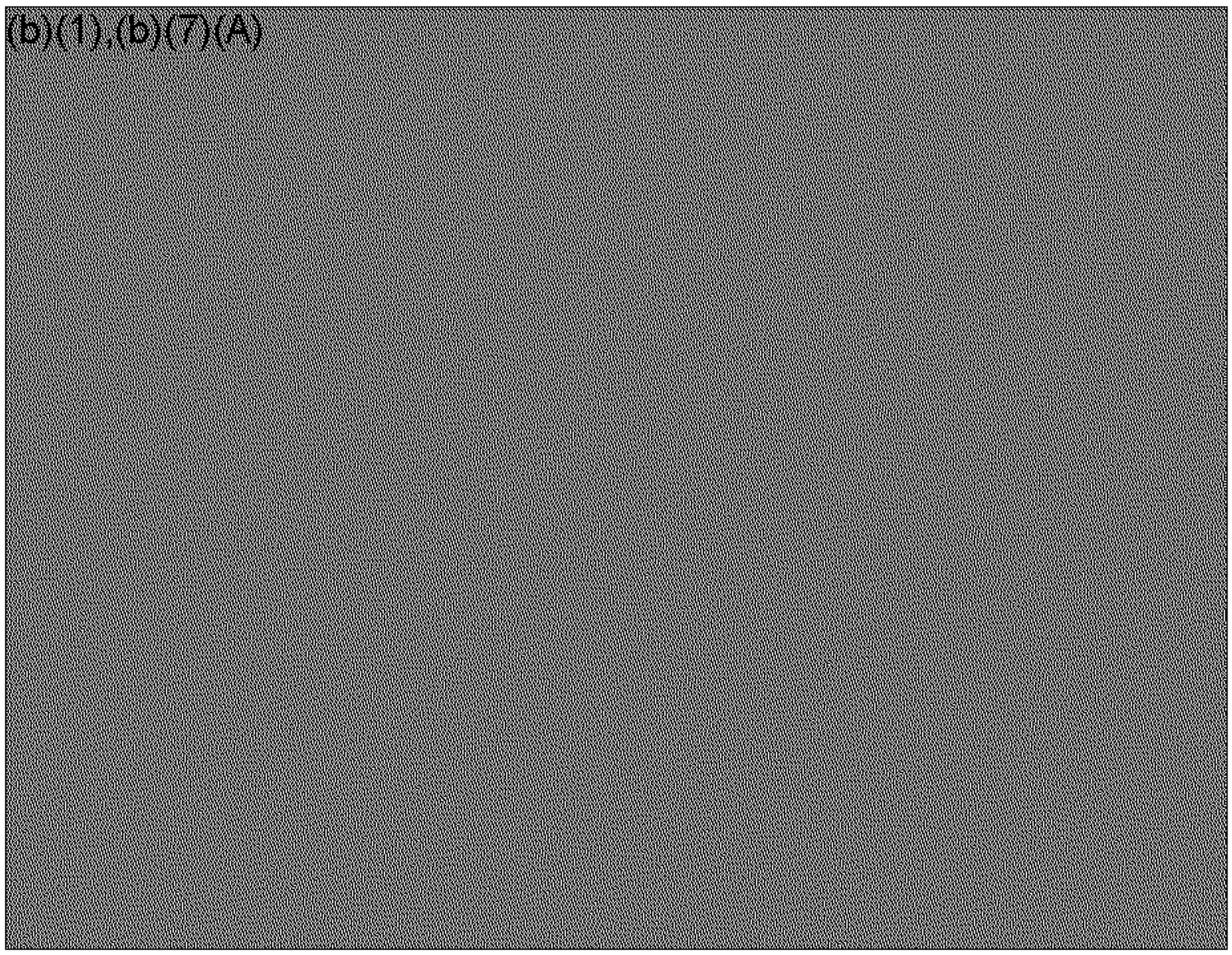
e. (U) **Organizational Affiliations**

(b)(1)

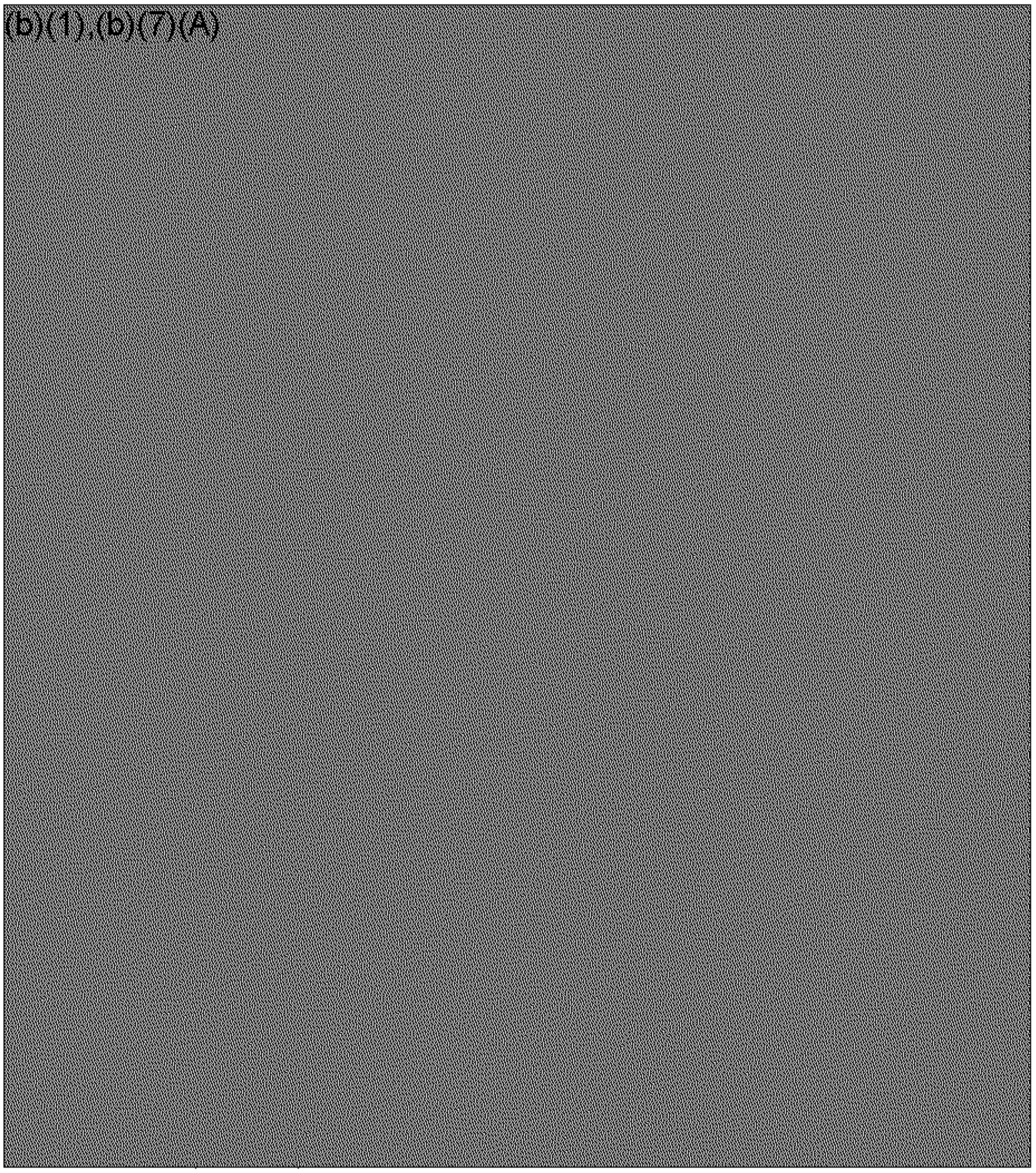


f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)



(b) (U) Jose Padilla was found guilty of terrorism conspiracy charges for his involvement in a plot to detonate a radioactive dirty bomb in the United States. (DMO-2)

(c) (U) Richard Reid attempted to detonate a shoe bomb on a flight from Paris, France to Miami, Florida on 22 December 2001, on orders from al Qaida leader Ammar al Baluchi (ISN 10018). (DMO-3)

g. **(U) <u>Behavior</u>**

(b)(1)

h. (U) Other Information

(b)(1),(b)(7)(A)

i. (U) Factors in Support of (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Saudi Arabia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(5)

(b)(1)

(b)(1)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18 9/6/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 078 (YEMEN)**

- Subject ARB was held on 15 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)

(b)(5) (Detain) 9-26

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 078

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings, but wanted to respond to each statement of information in the Unclassified Summary. The AMO verbally summarized comments the EC made during the AMO's interview. These comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation or statement in the Unclassified Summary. All EC comments are included in enclosure (3).

[redacted]

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the

ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(1),(b)(7)(A)

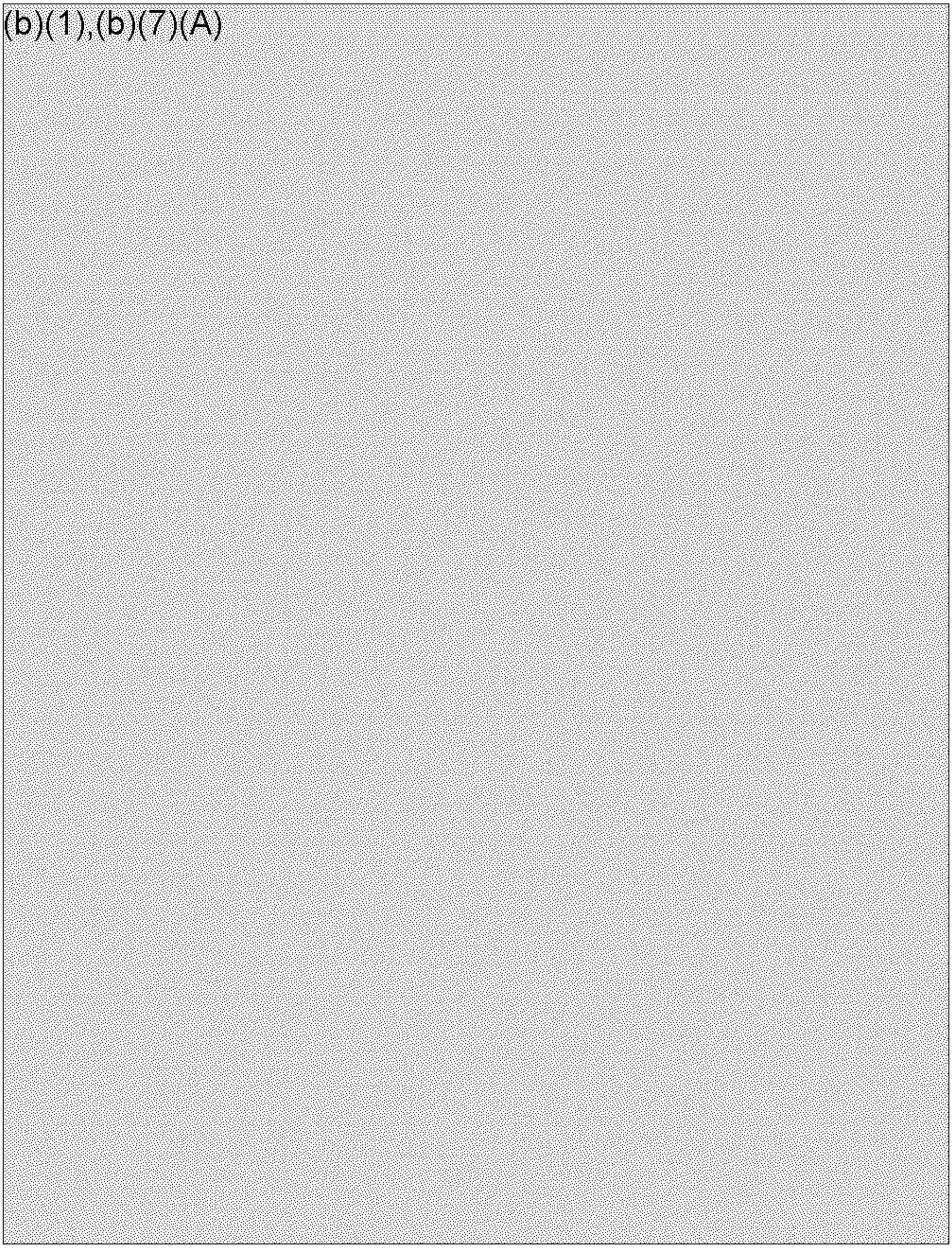
c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f.(U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(a) (U) * In response to this earlier statement, the EC told the AMO during his interview that life changes and things move on and he is not sure what he would do if released. (Enclosure 3)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.** (b)(5)

(b)(1),(b)(7)(A)

b. ~~(S//NF)~~ **Intelligence Value** (b)(5)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation.** ISN 078 should be (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 4/23/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 081 (SUDAN)**

- Subject ARB was held on 08 March 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5) detention & approve transfer _____

(b)(5) Detain 5-22 Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 081

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to personally appear in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB.

a. **(U) Recruitment**

(b)(1)

b. **(U) Travel**

(b)(7)(A)

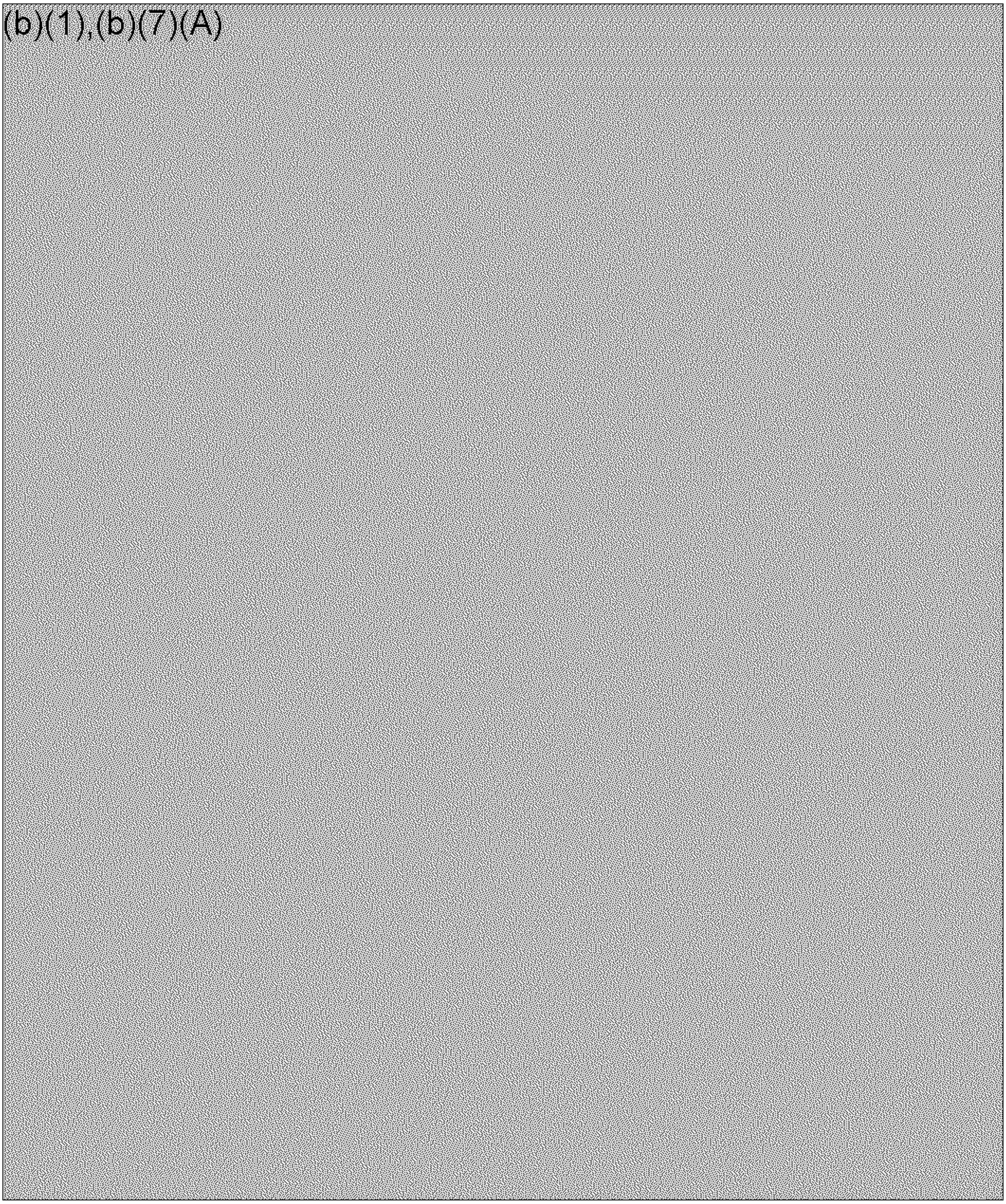
c. **(U) Training**

(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(7)(A)

(b)(1),(b)(7)(A)



e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Sudan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation**. EC 081 should be (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 088 (YEMEN)**

- Subject ARB was held on 9 May 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Transfer with Conditions) _____

(b)(5) Detain _____ Release _____

10-5-07

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 088

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) Recruitment**

(b)(1)

b. **(U) Travel**

(b)(1)

c. **(U) Training**

(b)(1),(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1)

f. **(U) Individual Affiliations**

(b)(1),(b)(7)(A)

g. **(U) Behavior**

(b)(5),(b)(7)(A)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 088, herein enclosed as Enclosure (5). There were no other matters submitted on behalf of ISN 088.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) There ARB consulted with the OARDEC GTMO legal advisor and reconvened to examine the habeas submission presented on behalf of the EC. The habeas submission did not change the decision of the ARB.

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(5)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 3/6/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 089 (AZERBAIJAN)**

- Subject ARB was held on 24 May 2007 resulting in a unanimous recommendation to (b)(5) based on the following: (b)(5)
  - Threat Assessment:
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include: (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 9-24

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 089

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. These comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)

(d) (U) * The U.S. Government states the IMU is designated as a foreign terrorist organization which fights those it perceives as fighting Islam. The IMU has been involved in taking United States hostages and was believed to have been involved in car bombings. Militants from the movement were known to be fighting with the Taliban in Afghanistan. (DMO-4)

(b)(1)

(b)(1)

e. **(U) Organizational Affiliations**

(b)(1)

f. **(U) Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

(b)(5)

h. **(U) Other Information**

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Azerbaijan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

d. ~~(S//NF)~~ **Recommendation**. EC 089 should be (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 4/29/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 091 (YEMEN)**

- Subject ARB was held on 28 February 2007resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) (Detain) 5-14-07

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 091

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to personally appear in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

3. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(1),(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1)

e. **(U) Organizational Affiliations**

(b)(1)

f. **(U) Individual Affiliations**

(b)(1),(b)(7)(A)

g. **(U) Behavior**

(b)(5)

(b)(5)

h. **(U) Other Information**

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

4. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

5. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) (b)(2)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

7. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/18/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 10001 (ALGERIA)**

- Subject ARB was held on 24 January 2008 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) (Detain) 3-19-08 (b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 10001

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) **(U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) Recruitment**

(b)(7)(A)

b. **(U) Travel**

(b)(7)(A)

c. **(U) Training**

(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1)

(b)(1)

(a) (U) * FBIS reported the Saudi High Committee is one of the strongest and richest humanitarian organizations in the Bosnia-Herzegovina Federation and was under investigation of U.S. authorities. An open source reported an investigation revealed the High Saudi Committee had on its payroll almost all of the members of the Algerian Group, which the EC was identified as the leader of. The Algerian Group has links to international terrorism. (DMO-3)

(b)(1)

(b)(1)

(a) (U) * DHS reported the GIA is described as an Islamic extremist group that aims to overthrow the secular Algerian regime and replace it with an Islamic state. The GIA has frequent attacks against civilians and government workers. DHS reported since 1992, the GIA has conducted a terrorist campaign of civilian massacres, sometimes wiping out entire villages in its area of operation. Since announcing its campaign against foreigners living in Algeria in 1993, the GIA has killed more than 100 expatriate men and women in the country. DHS reported the GIA uses assassinations and bombings, which includes car bombs, and it is known to kidnap victims and slit their throats. (DMO-2)

(b)(1)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1)

(3) (U) * FBIS reported the EC has been identified as a person who used to work for the al Haramayn Organization. (DMO-4)

(b)(1)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(5),(b)(7)(A)

g. (U) **Behavior**

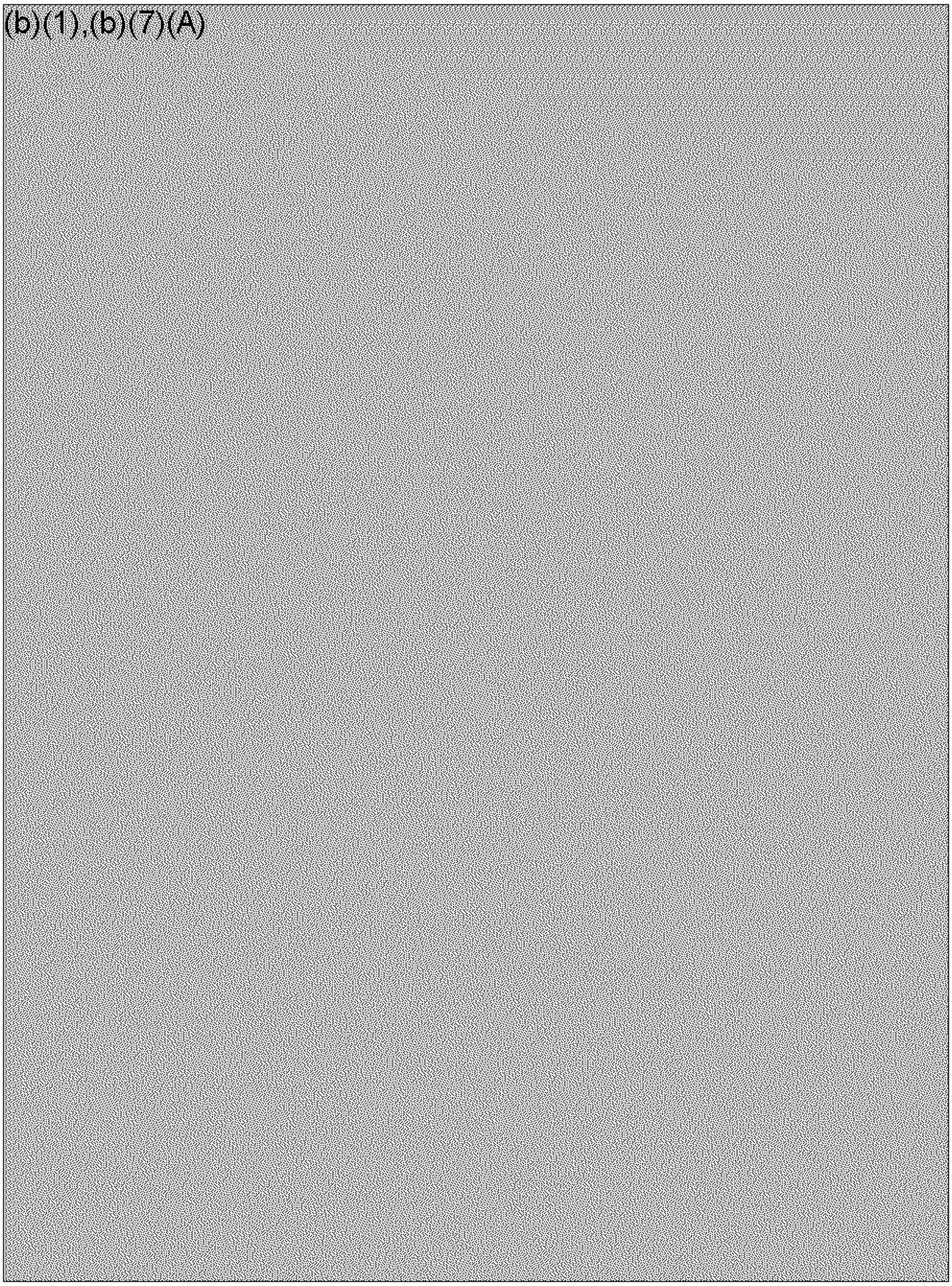
(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)



5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/26/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 10002 (ALGERIA)**

- Subject ARB was held on 28 Dec 07 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) DCI 3-4-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 10002

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC was unresponsive. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were provided to the EC who refused to accept both copies.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(7)(A)

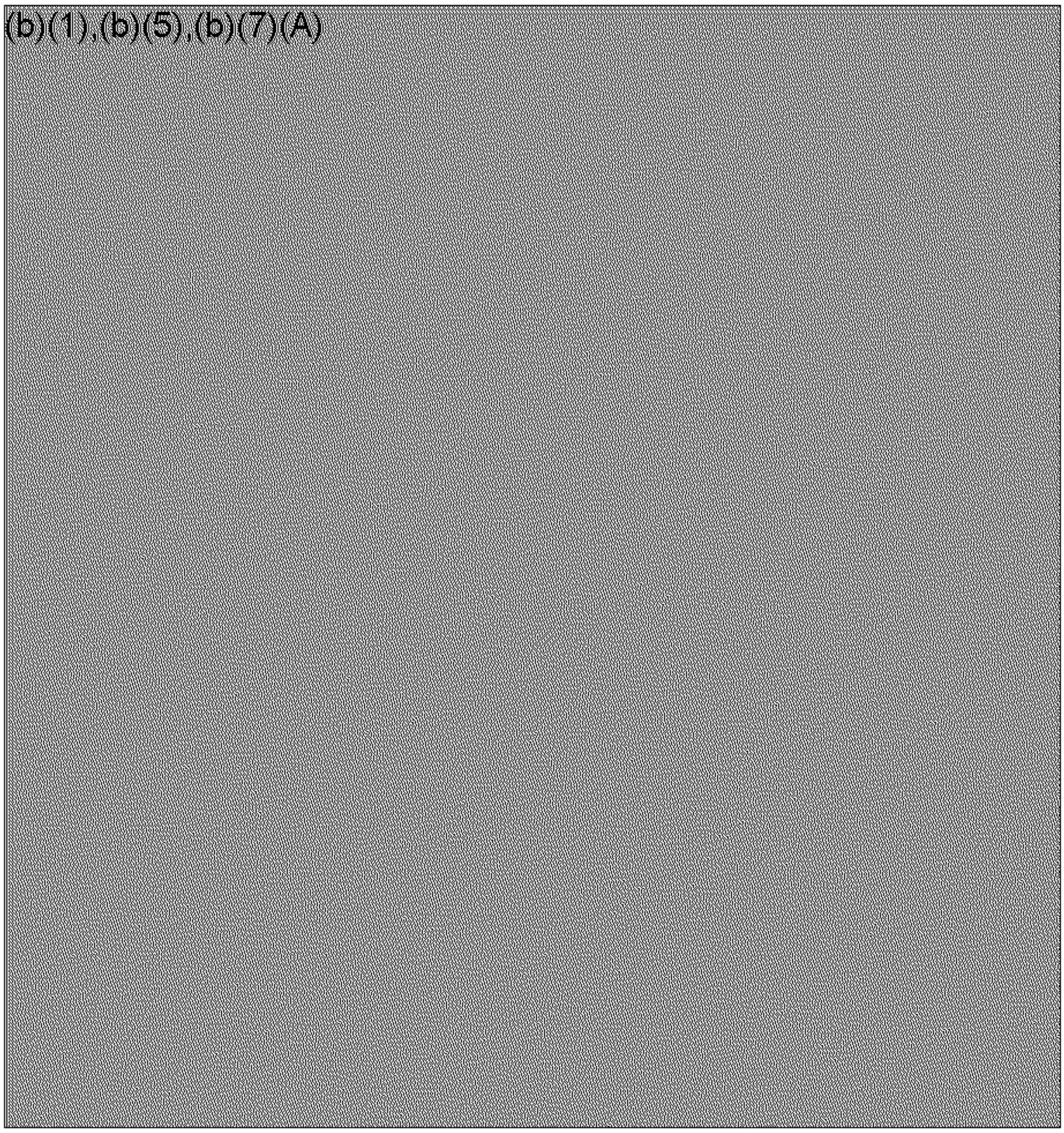
c. **(U) Training**

(b)(5)

d. **(U) Operations, Combat and Capture**

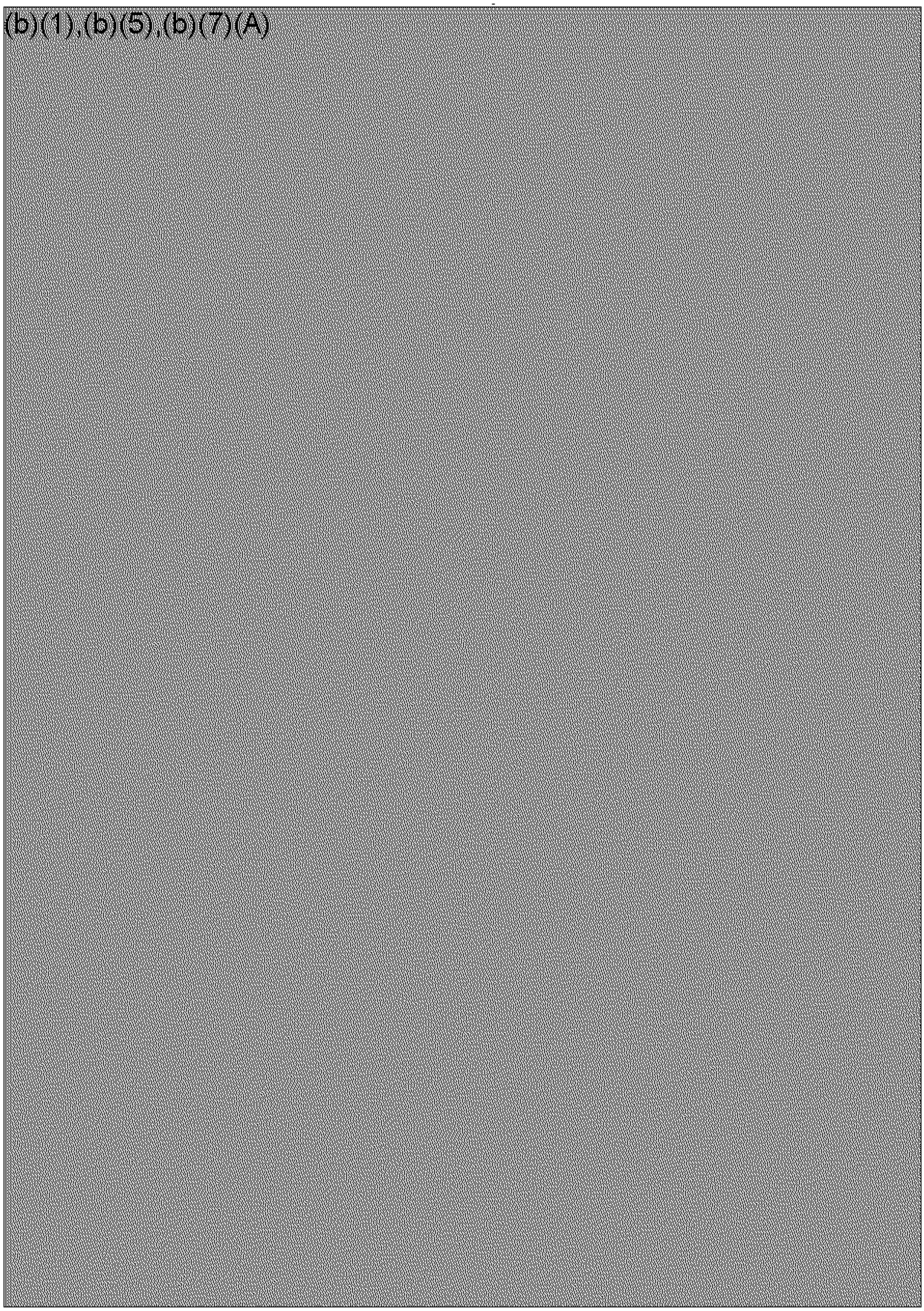
(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

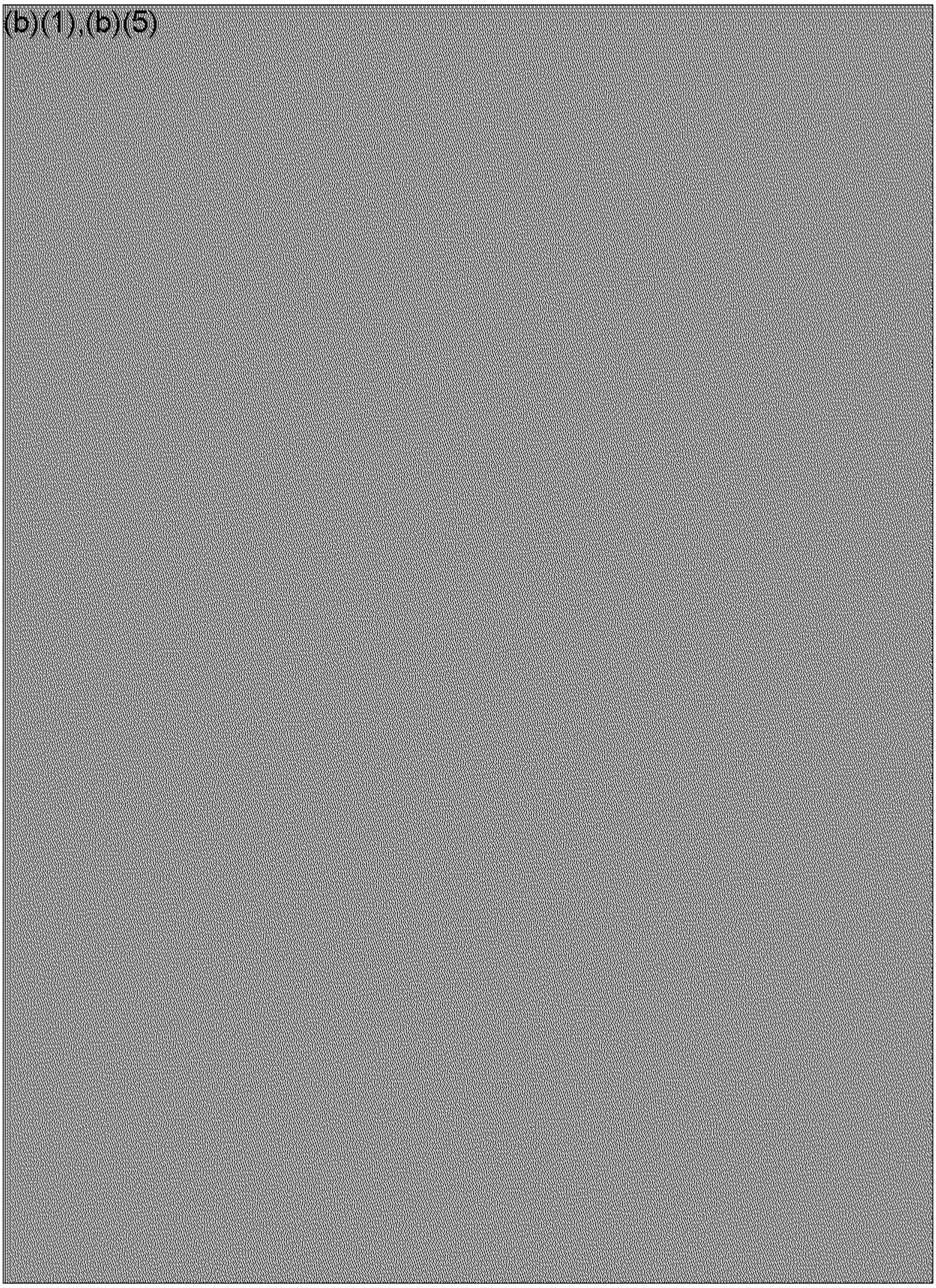


(i) (U) * DHS reported the Armed Islamic Group, is an Islamic extremist group that aims to overthrow the secular Algerian regime and replace it with an Islamic state. The group is known for frequent attacks against civilians and government workers. DHS reported, since 1992, the group has conducted a terrorist campaign of civilian massacres, sometimes wiping out entire villages in its area of operation. The group uses assassinations and bombings, including car bombs. (DMO-3)

(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(5)



(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

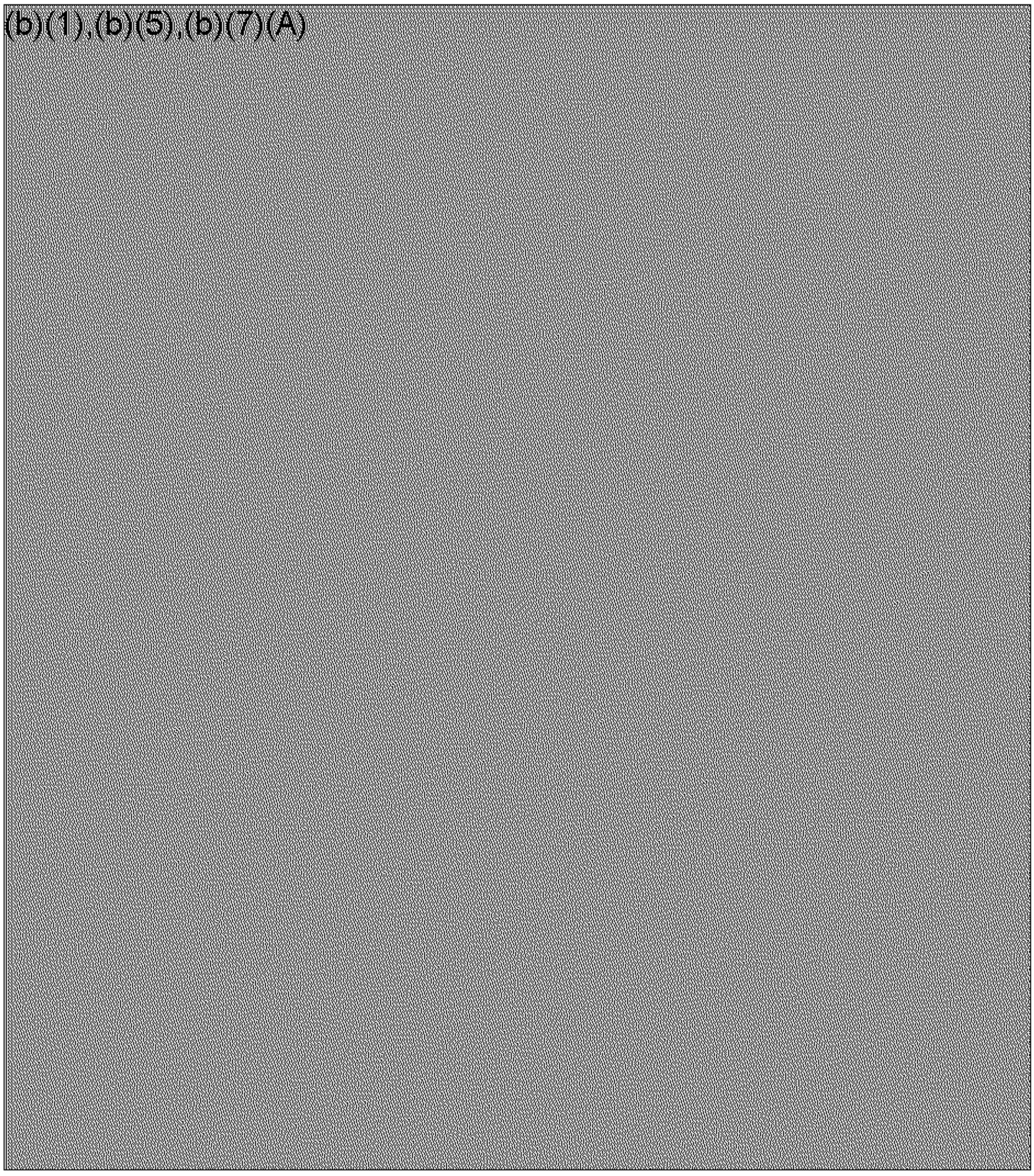
(b)(1),(b)(5)

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

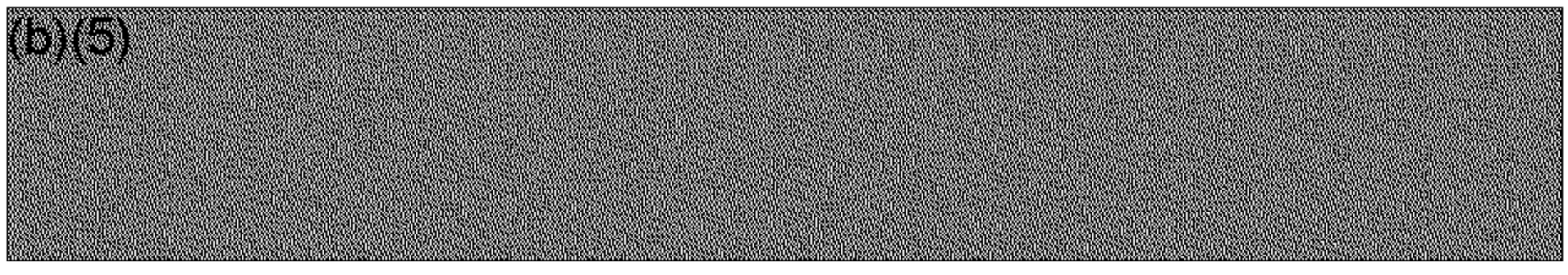
(b)(1),(b)(5)

(b)(1),(b)(5),(b)(7)(A)



g. (U) **Behavior**

(b)(5)



(b)(1),(b)(5)

h. (U) **Other Information**

(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

ISN 10002
Enclosure (5)
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c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/17/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 10003 (ALGERIA)**

- Subject ARB was held on 18 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)

(b)(5) (Detain) 1-22-08
(b)(5)
Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 10003

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC

a. **(U) Recruitment**

(b)(5)

b. **(U) Travel**

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(7)(A)

(b)(7)(A)

(b)(5)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

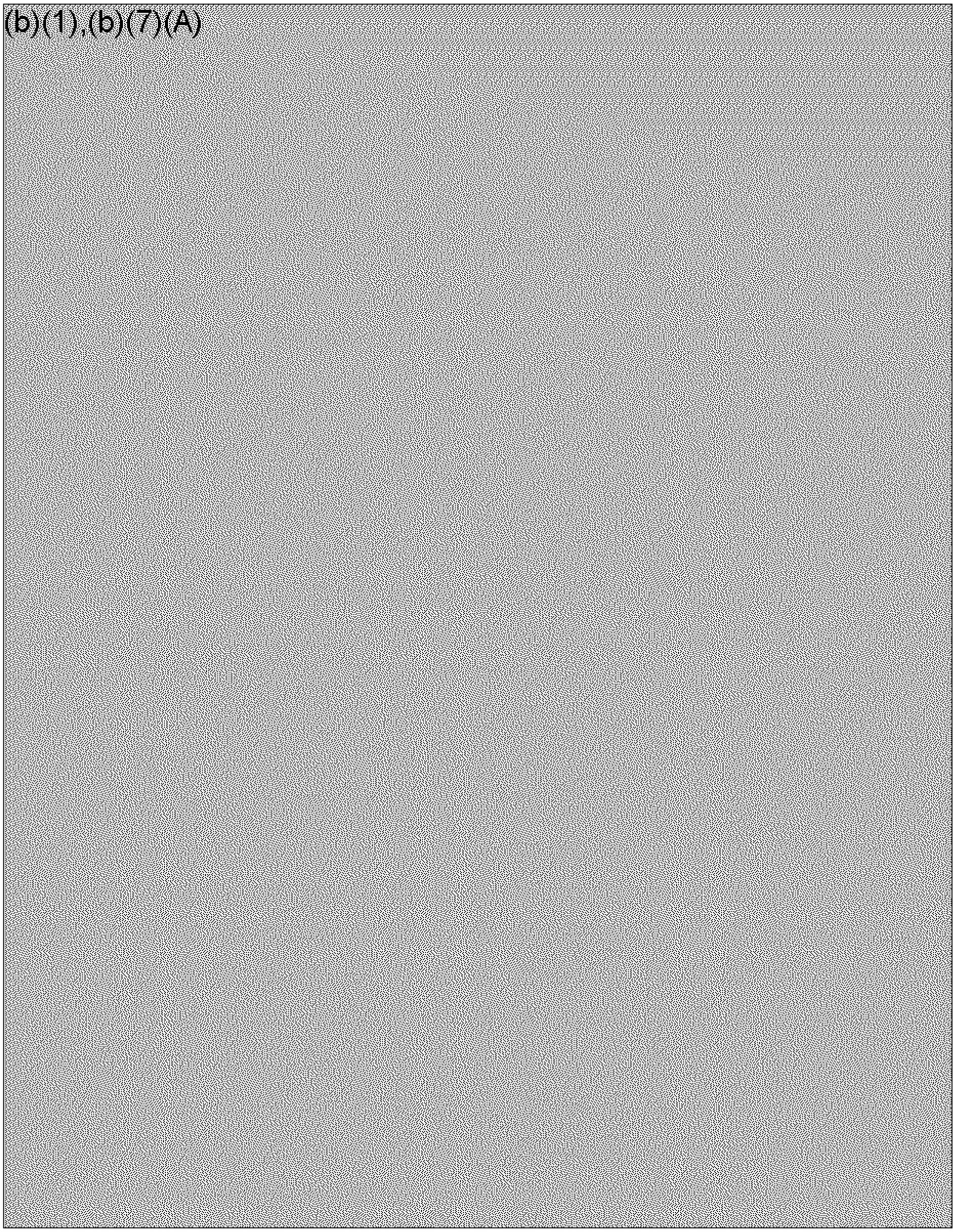
(a) (U) The Armed Islamic Group is an extremist organization that aims to replace the secular Algerian government with an Islamic state. The group has conducted a terrorist campaign of assassinations, bombings, and civilian massacres. (DMO-2)

(b)(1)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)


(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/18/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 10004 (ALGERIA)**

- Subject ARB was held on 16 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-19-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 10004

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive. The Joint Detention Group (JDG) liaison hand-carried two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the JDG point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(7)(A)

b. **(U) Travel**

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(5)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(5)

(b)(5)

(b)(1),(b)(5)

(a) (U) The Department of Homeland Security (DHS) describes the Armed Islamic Group as an Islamic extremist group that aims to overthrow the secular Algerian regime and replace it with an Islamic state. DHS reported the Armed Islamic Group is known for frequent attacks against civilians and government workers, using assassinations and bombings including car bombs. (DMO-3)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(5)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

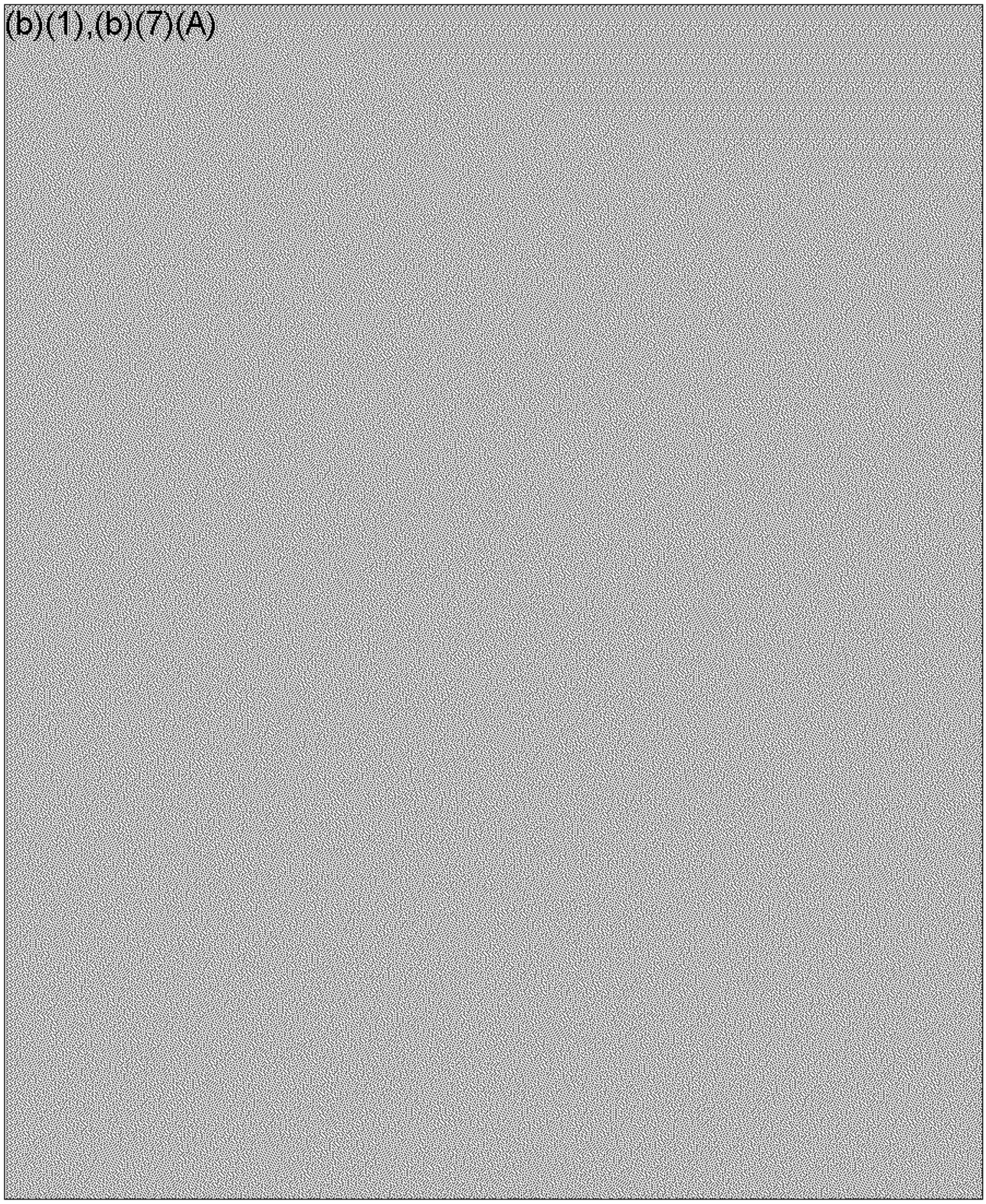
(b)(5)

i. (U) **Factors in Support of** (b)(5)

(1) (U) * SFOR reported the Supreme Court of the Federation of Bosnia and Herzegovina brought the decision to discontinue detainment of ISNs 10001, 10002, 10003, 10005,

10006, and the EC after no evidence was presented against them to legal agencies. (DMO-2)

(b)(1),(b)(7)(A)



5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/7/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 10005 (ALGERIA)**

- Subject ARB was held on 20 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) (Detain) 1-22-08
(b)(5 Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 10005

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.)

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the EC who refused to accept them.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1),(b)(7)(A)

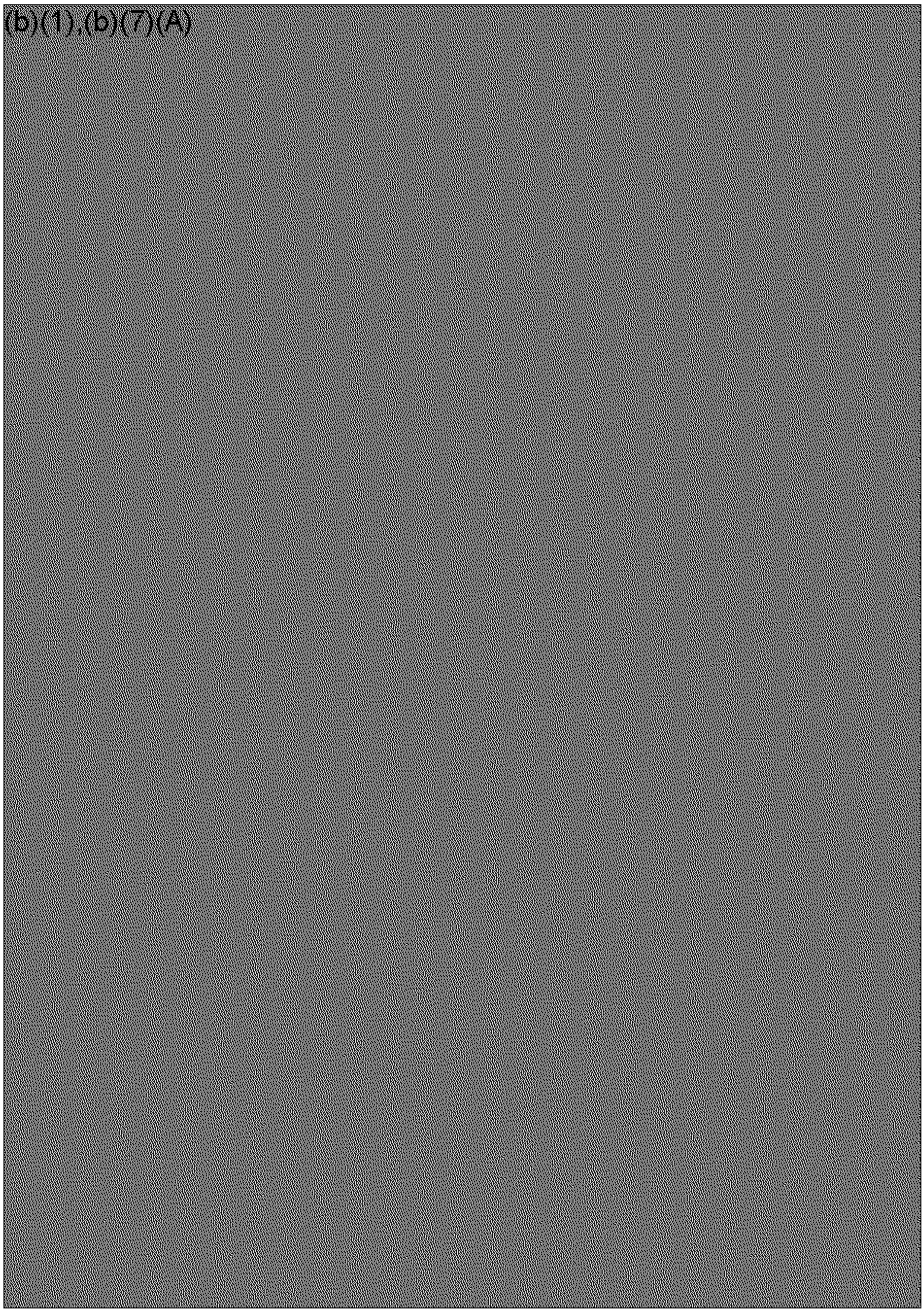
c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

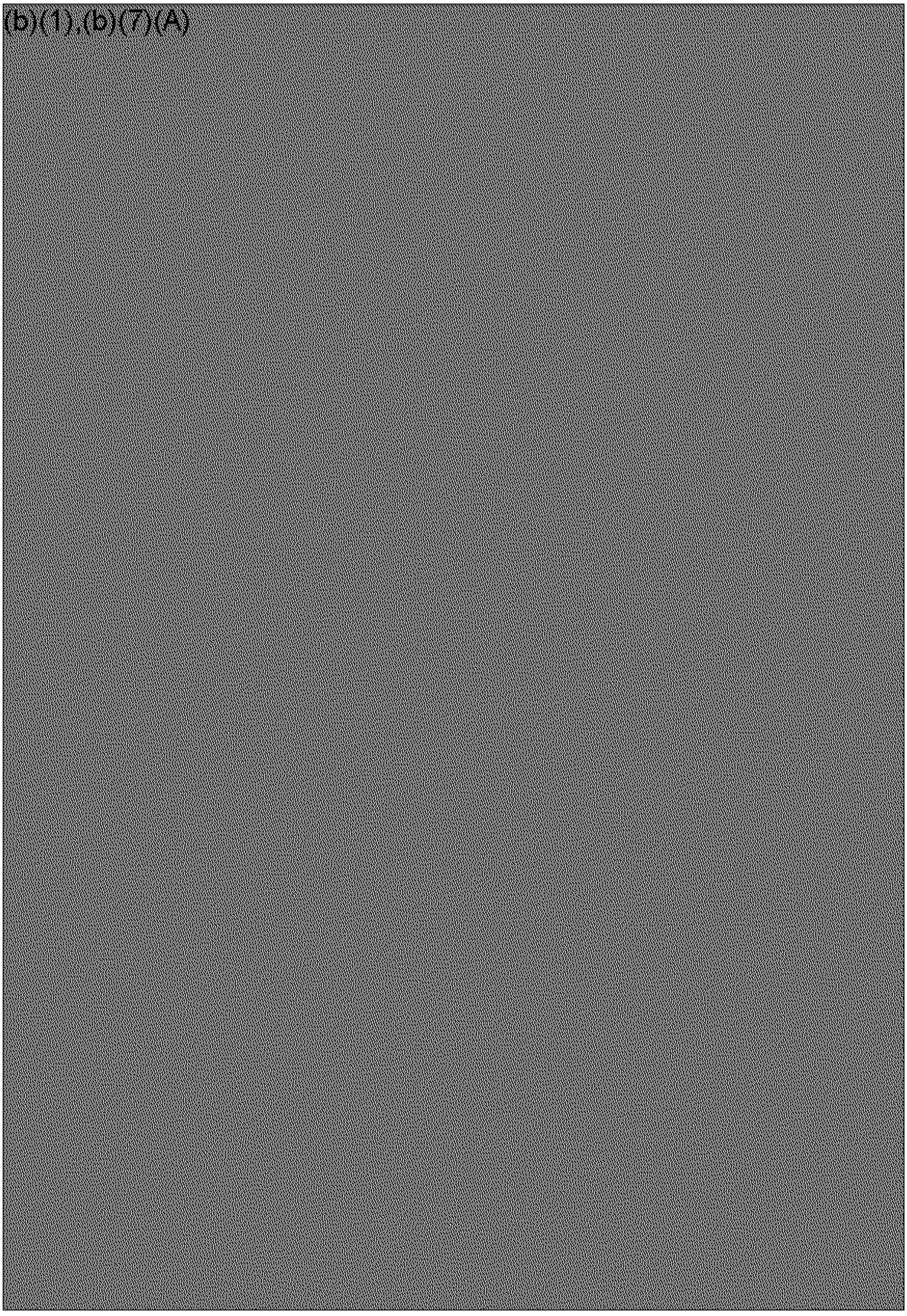
(a) (U) The Islamic Armed Group is as an Islamic extremist group that aims to overthrow the secular Algerian regime and replace it with an Islamic state. The group has conducted a terrorist campaign of assassinations, bombings, and civilian massacres. (DMO-2)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) (U) **Other Information**

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is citizen of Algeria and Bosnia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/17/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 10006 (ALGERIA)**

- Subject ARB was held on 18 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-19-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 10006

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. However, the EC provided comments in response to the information contained in the Unclassified Summary of Evidence which is documented in EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(1)

b. **(U) Travel**

(b)(7)(A)

c. **(U) Training**

(b)(1)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

(5) (U) * In the book "Al Qaida's Jihad in Europe" the EC is identified as an Algerian combat instructor who transferred in 1992 to central Bosnia-Herzegovina.. (DMO-2)

(b)(1),(b)(7)(A)

(b) (U) * According to an article by Konstantin Getmanskiy and Roman Kirillov, the Benevolence International Foundation is suspected of cooperating with the terrorist group al Qaida. Getmanskiy and Kirillov reported the former head of the foundation is suspected of having close ties with Usama bin Laden. (DMO-3)

(b)(1)

(a) (U) * The Department of Homeland Security (DHS) reported the GIA is an Islamic extremist group. According to DHS, the group has conducted a terrorist campaign of civilian massacres sometimes wiping out entire villages. (DMO-4)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

d. ~~(S//NF)~~ Recommendation (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 8/30/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1001 (AFGHANISTAN)**

- Subject ARB was held on 13 July 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)

9-18-07

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1001

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his weapons training, his future plans, and his perception of the U.S. forces. All EC testimony and comments are included in enclosure (6).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1)

c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

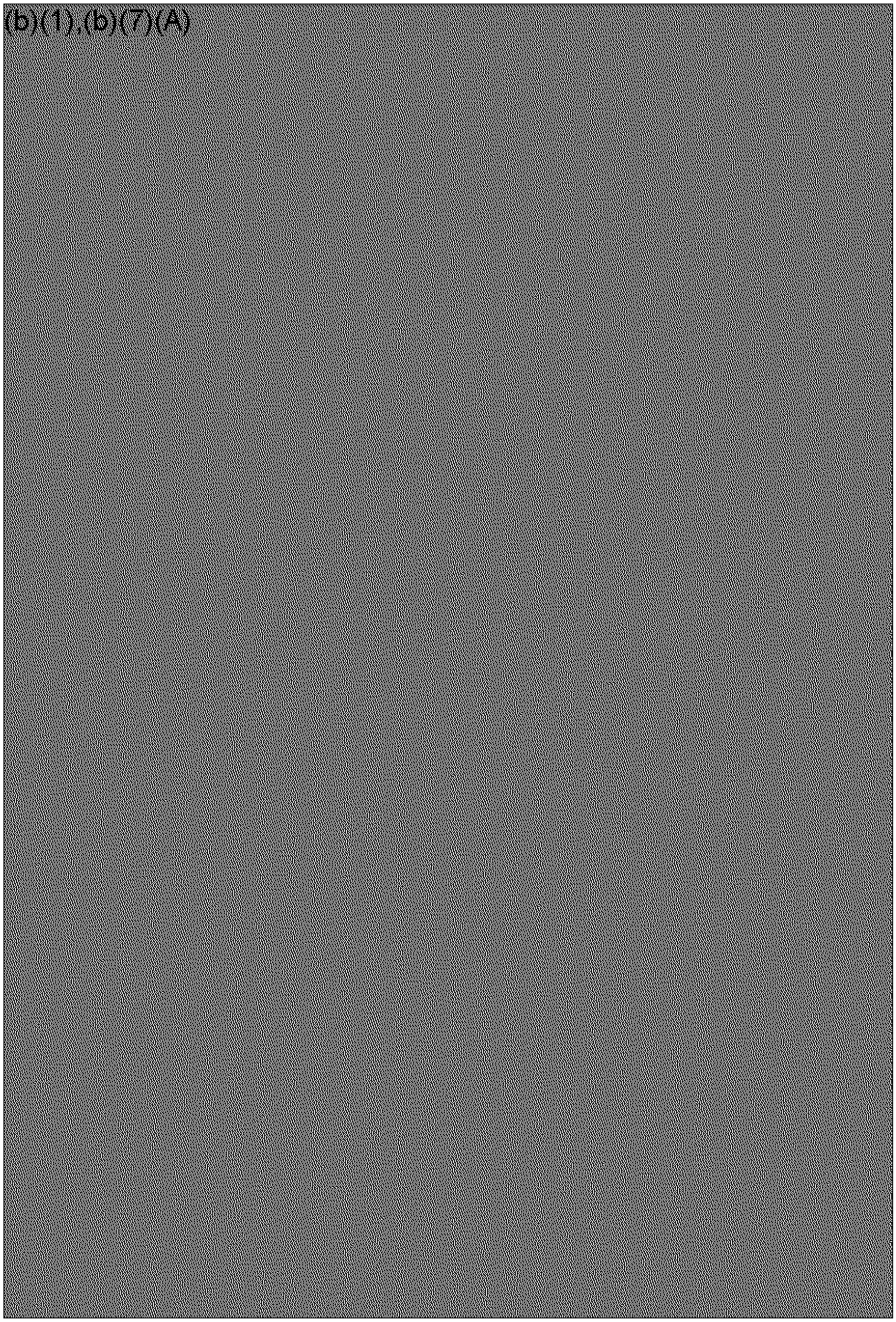
(a) (U) The EC told the Board he only helped the wounded during the war. (Enclosure 6, pg. 2)

(b)(1),(b)(7)(A)

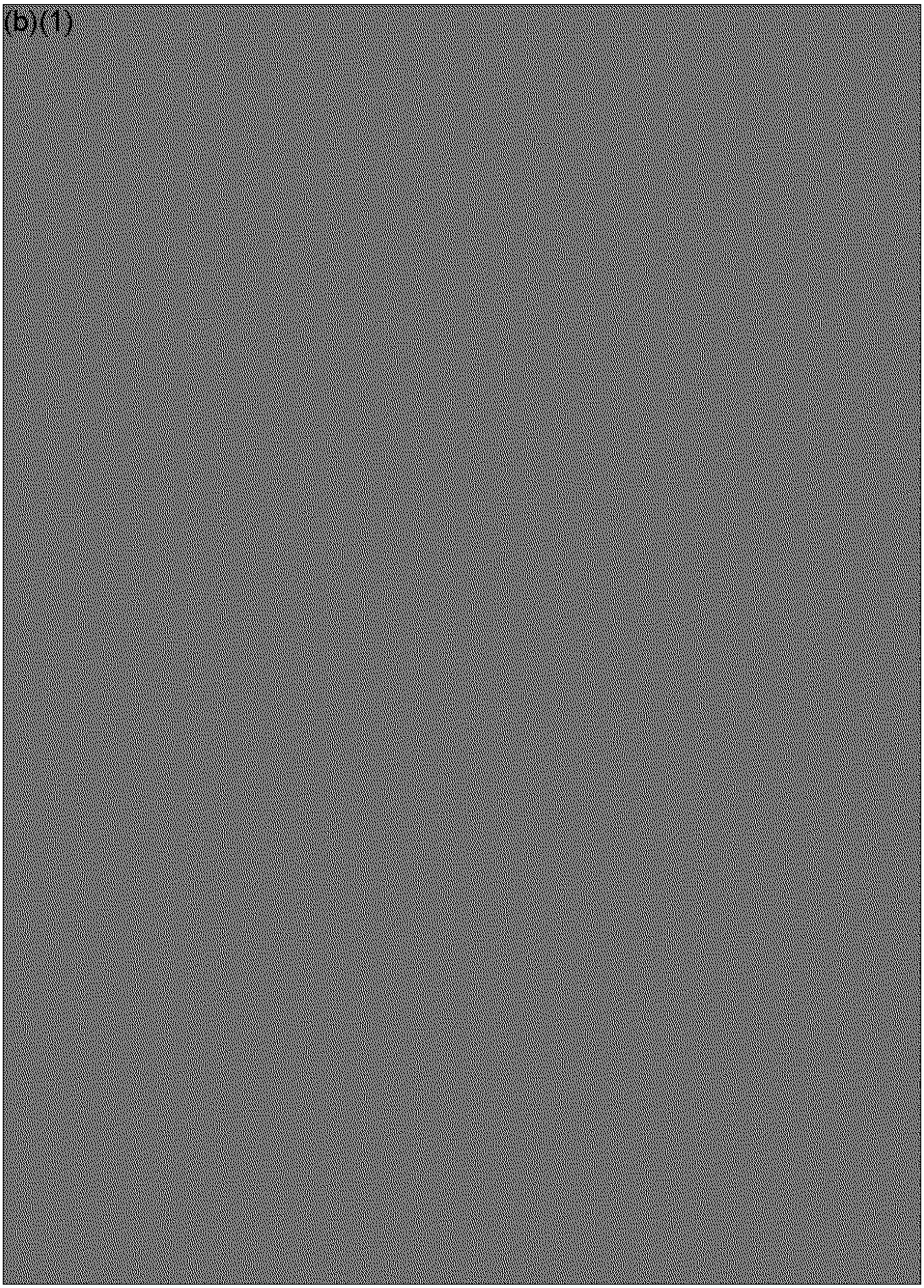
(a) (U) The EC denied this allegation in his ARB 3 hearing and said he worked with the new government to bring security and stability back to Afghanistan. (Enclosure 6, pg. 3)

(b)(1)

(b)(1),(b)(7)(A)



(b)(1)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

(b)(5)

(b)(1),(b)(2)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 1001, herein enclosed as Enclosure (5), Exhibit EC-D. There were no other matters submitted on behalf of ISN 1001.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.** (b)(5)

(b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value.** (b)(5)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 8/14/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1002 (AF)**

- Subject ARB was held on 24 April 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)

(b)(5)

(b)(5)

8-24

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1002

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. EC-B also contained the EC's comments on portions of the unclassified summary.

(1) (U) The ARB requested clarification on the EC's response to item 3.a.5 of the Unclassified Summary. The AMO stated the EC meant 100,000 Afghan Rupees was equivalent to one and one half United States Dollars ($1.50).

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The AMO presented an updated portion of the Analyst Support Package as Exhibit EC-D, identified herein as Enclosure (5). The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1)

(b)(1)

c. (U) **Training**

(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

(b)(1),(b)(5)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 1002, herein enclosed as Enclosure (4), Exhibit EC-C. There were no other matters submitted on behalf of ISN 1002.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1),(b)(2)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 Oct 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1008 (AFGHANISTAN)**

- Subject ARB was held on 6 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)

11-13

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1008

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated was uncooperative or unresponsive.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) Recruitment

(b)(5)

b. (U) Travel

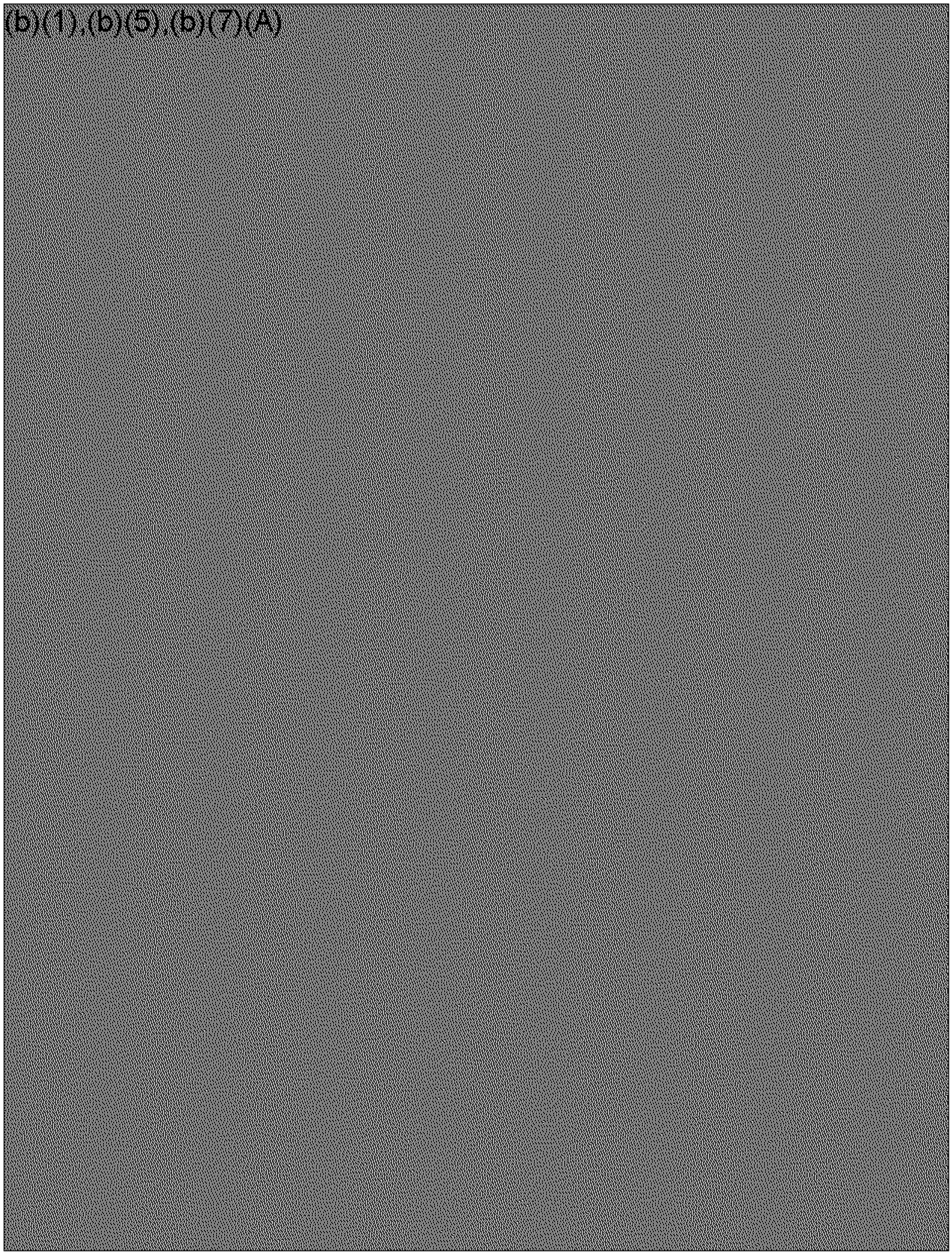
(b)(1),(b)(7)(A)

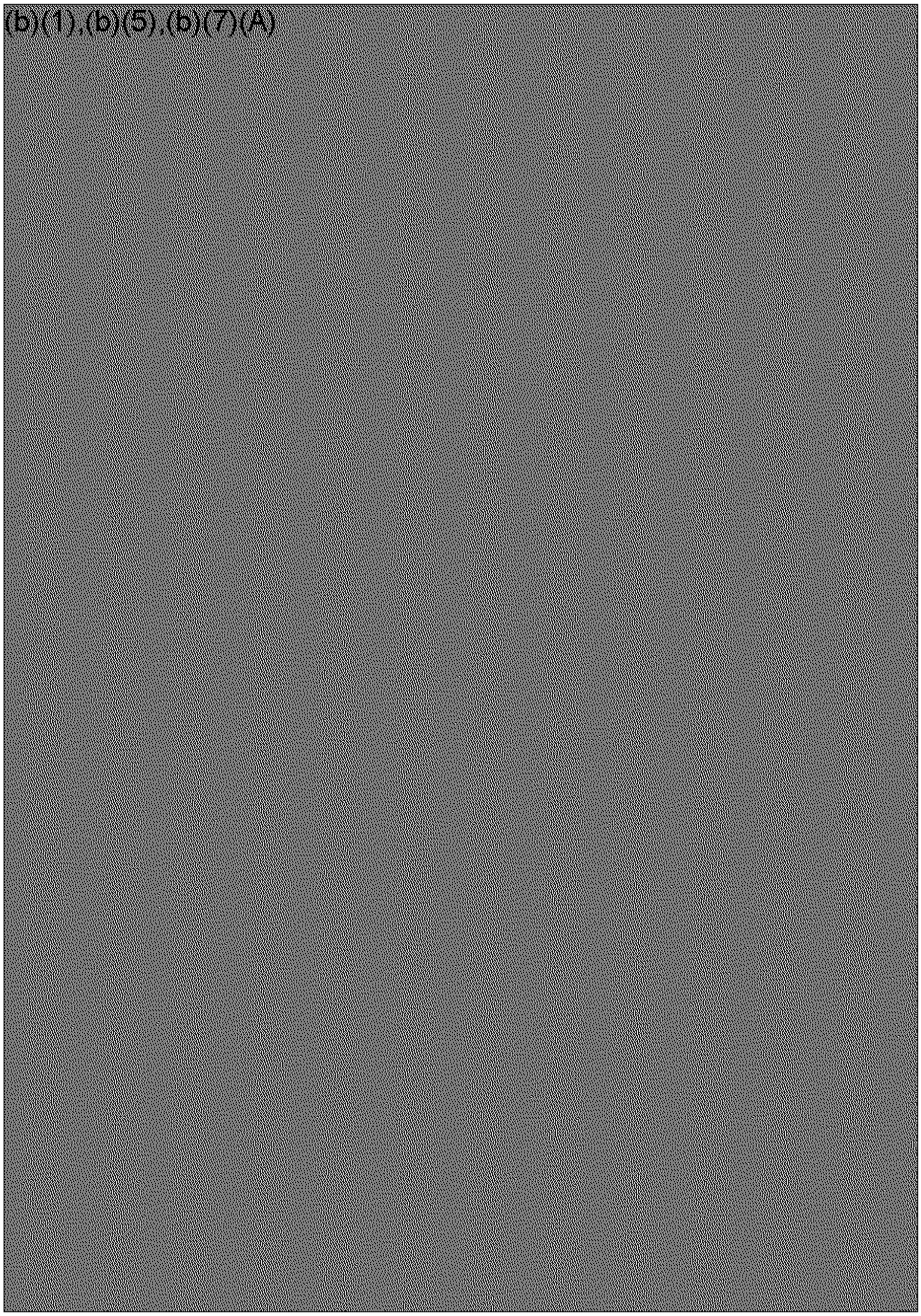
c. (U) Training

(b)(1),(b)(7)(A)

d. (U) Operations, Combat and Capture

(b)(1),(b)(5),(b)(7)(A)




(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

(b)(5)

h. **(U) Other Information**

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

(b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/7/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1012 (AFGHANISTAN)**

- Subject ARB was held on 16 August 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)

10-12

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1012

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary of Evidence in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B. The AMO further presented correspondence on behalf of the EC as Exhibit EC-C and EC-D, identified herein as enclosure (4).

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC responded verbally to each allegation/statement in the Unclassified Summary of Evidence. He then read a statement he prepared for the Board. Farsi and English translated copies of the EC's written statement, presented as EC-E, are included in enclosure (4). All EC testimony and comments are included in enclosure (5).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the

ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below.

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the enemy combatant. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

(b)(1)

b. **(U) Travel**

(b)(7)(A)

c. **(U) Training**

(b)(5)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

e. **(U) Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to his knowledge of the following:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/8/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1015 (YEMEN)**

- Subject ARB was held on 10 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) 9-18 (b)(5) (b)(5)

Attachments:
Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1015

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) It was not necessary for the ARB to confirm that a translator who spoke the same language as the EC was present during the AMO's interview since the EC refused to leave his cell. The ARB did confirm the Unclassified Summary of Evidence was translated and presented to the EC, via the Joint Detention Group point of contact.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(5),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

c. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)

d. (U) **Organizational Affiliations**

(b)(1),(b)(5)

e. (U) **Individual Affiliations**

(b)(1)

f. (U) **Behavior**

(b)(5)

g. (U) **Other Information**

(b)(1),(b)(7)(A)

h. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 1015, herein enclosed as Enclosure (4). There were no other matters submitted on behalf of ISN 1015.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/17/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1017 (YEMEN)**

- Subject ARB was held on 21 June 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) 10-22
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1017

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

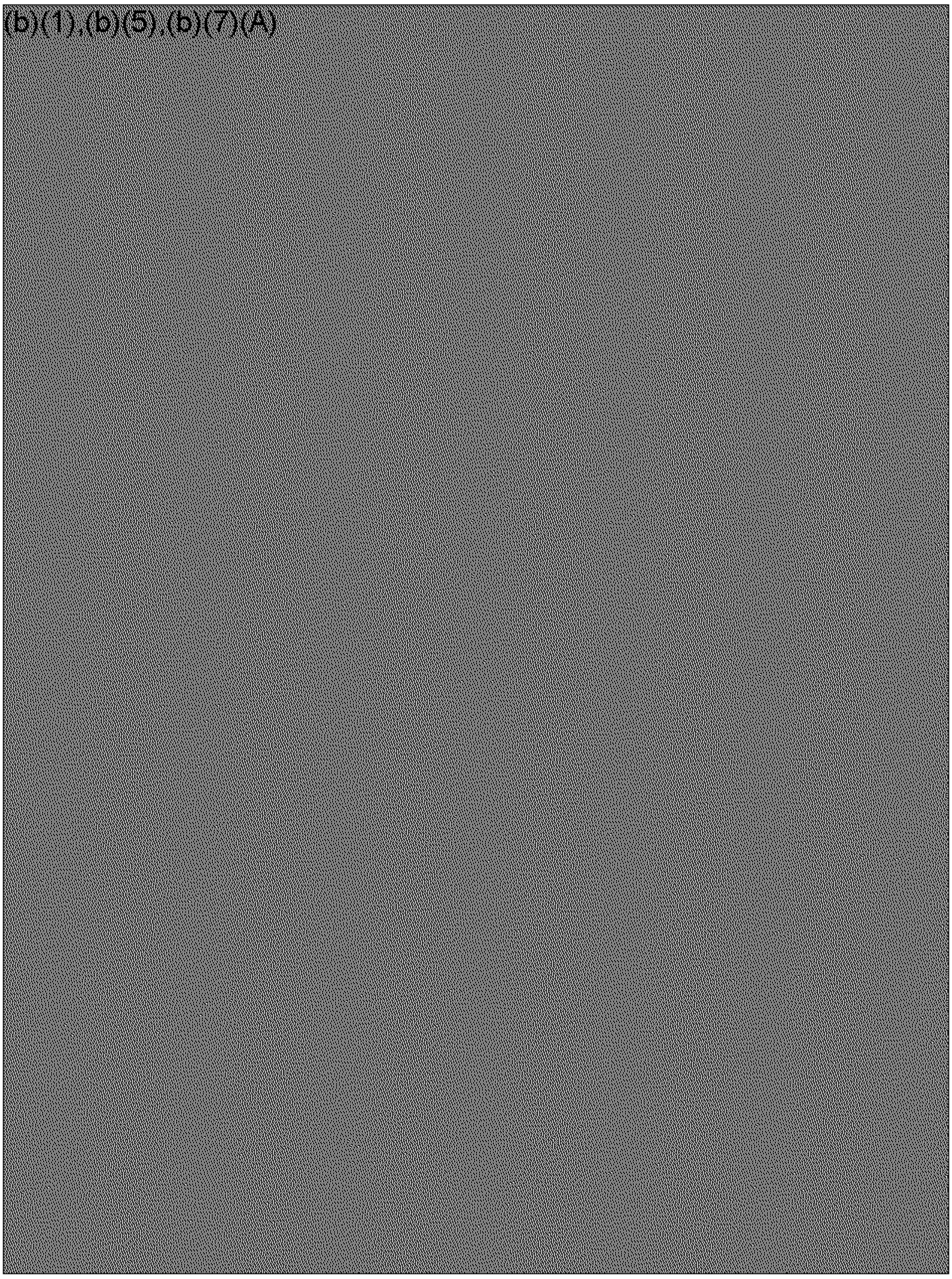
(b)(1),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(1),(b)(5),(b)(7)(A)

c. (U) Training

(b)(1),(b)(5),(b)(7)(A)



d. (U) **Operations, Combat and Capture**

(b)(1)

(a) (U) The Russian Federal Security Service reported Shamil Basayev was the leader of the Supreme Military Majlis Shura of the Joint Mujahedin Forces of the Caucasus. The Supreme Court of the Russian Federation deemed this a radical Islamic organization and terrorist organization on 14 February 2003. Shamil Basayev is also a co-leader of the Congress of the Peoples of Ichkeria and Dagestan. (DMO-5)

(b)(1),(b)(5)

(a) (U) The Department of Homeland Security reports Ibn al Khattab was a leader of the Islamic International Peacekeeping Brigade (IIPB), until his death in March 2002. The United States Secretary of State has designated IIPB as a Foreign Terrorist Organization. IIPB consists of up to 400 fighters, including as many as 150 Arabs and other foreign fighters. IIPB and its Arab leaders appear to be a primary conduit for Islamic funding for the Chechen guerrillas. This is, in part, through links to al Qaida-related financiers on the Arabian Peninsula. (DMO-4)

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. **(U) Factors in Support of (b)(5)**

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1),(b)(5)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/12/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1021 (AFGHANISTAN)**

- Subject ARB was held on 31 August 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)

(b)(5)

11-29

(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1021

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB:

a. **(U) Recruitment**

(b)(7)(A)

b. **(U) Travel**

(b)(5)

c. **(U) Training**

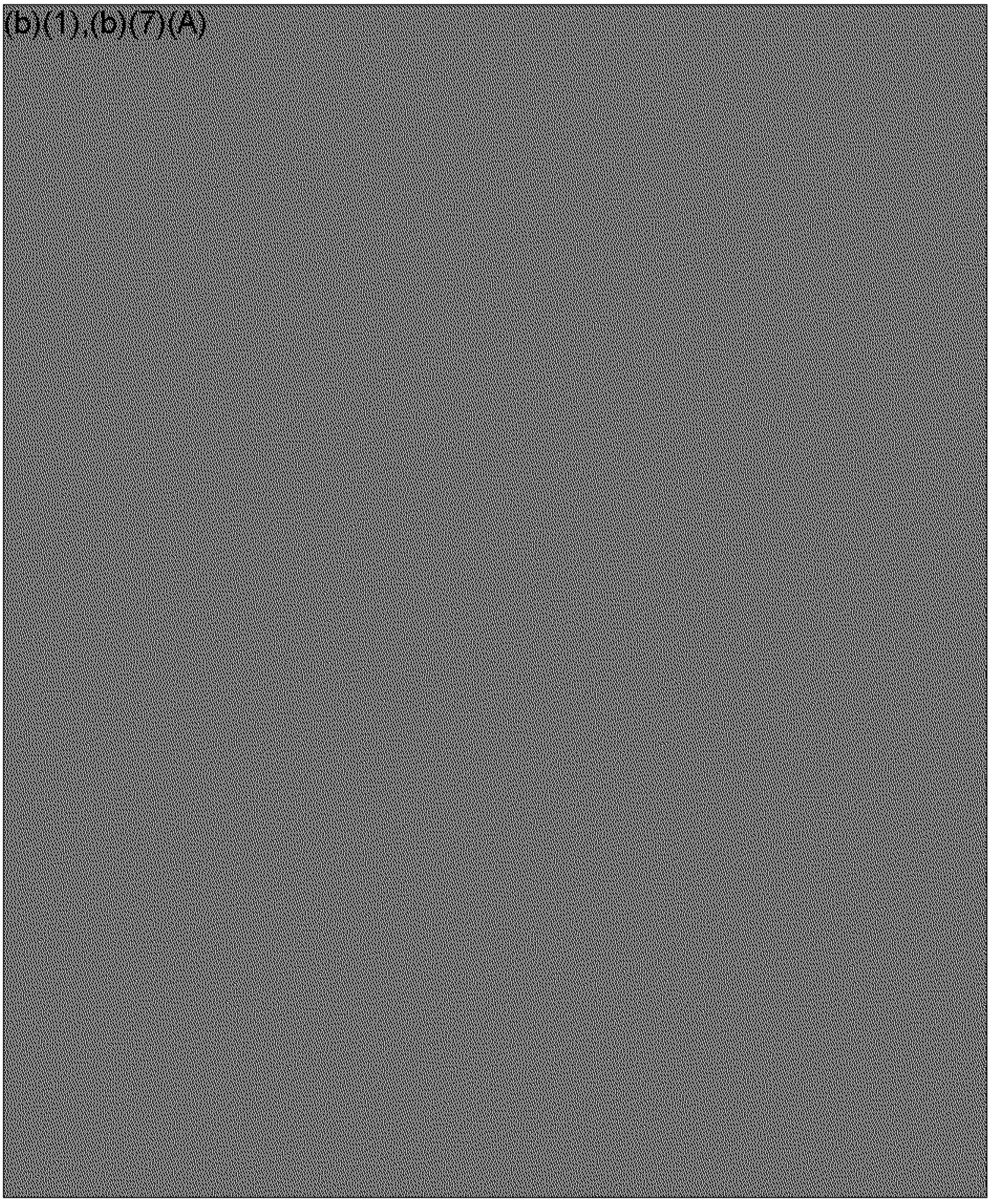
(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(i) (U) According to the Terrorist Organization Reference Guide, Gulbuddin Hekmatyar founded Hezb-e-Islami Gulbuddin as a faction of the Hezb-e-Islami party in 1977. Hezb-e-Islami Gulbuddin has long-established ties with Usama bin Laden. In the early 1990s Hekmatyar ran several terrorist training camps in Afghanistan. Hekmatyar offered to shelter Usama bin Laden after he fled from Sudan in 1996. (DMO-4)

(b)(1),(b)(7)(A)



(b)(1)

e. **(U) Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

~~SECRET//ORCON/NOFORN~~

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(4) (U) The EC stated he was working as a spy on behalf of the government of Hamid Karzai because he opposed the Taliban, wanted peace in Afghanistan and wanted his children to be able to go to school. (DMO-36)

(5) (U) The EC stated he would not participate in any attacks against U.S. in Afghanistan. The EC stated he had no anger toward the U.S. for being detained, but was angry toward the Afghanis who put him in jail. The EC stated he would be happy to work for the Americans in Afghanistan. (DMO-36)

(b)(1)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 1021, herein enclosed as enclosure (4). There were no other matters submitted on behalf of ISN 1021.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

(a) ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/10/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1030 (AFGHANISTAN)**

- Subject ARB was held on 16 Aug 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)
10-12

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1030

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1)

c. (U) **Training**

(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **EC Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 Nov 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1032 (AFGHANISTAN)**

- Subject ARB was held on 27 Sep 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)

11-19-07

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1032

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings and was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

(b)(5)

b. **(U) <u>Travel</u>**

(b)(5)

c. **(U) <u>Training</u>**

(b)(7)(A)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1),(b)(5)

(b)(7)(A)

(b)(5)

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1),(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(5),(b)(7)(A)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 11/23/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1045 (AFGHANISTAN)**

- Subject ARB was held on 20 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5)

(b)(5) (b)(5)

Attachments: Tab A - OARDEC DSJA Legal Sufficiency Review; Tab B - Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1045

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) Recruitment

(b)(1)

(b)(5)

(ii) (U) DHS reported Jaish-e-Mohammed (JEM) is an Islamic extremist group based in Pakistan. DHS reported JEM had close ties to Afghani Arabs and the Taliban. DHS reported Usama bin Laden is suspected of giving funding to JEM. (DMO-4)

(b)(1)

b. (U) **Travel**

(b)(5)

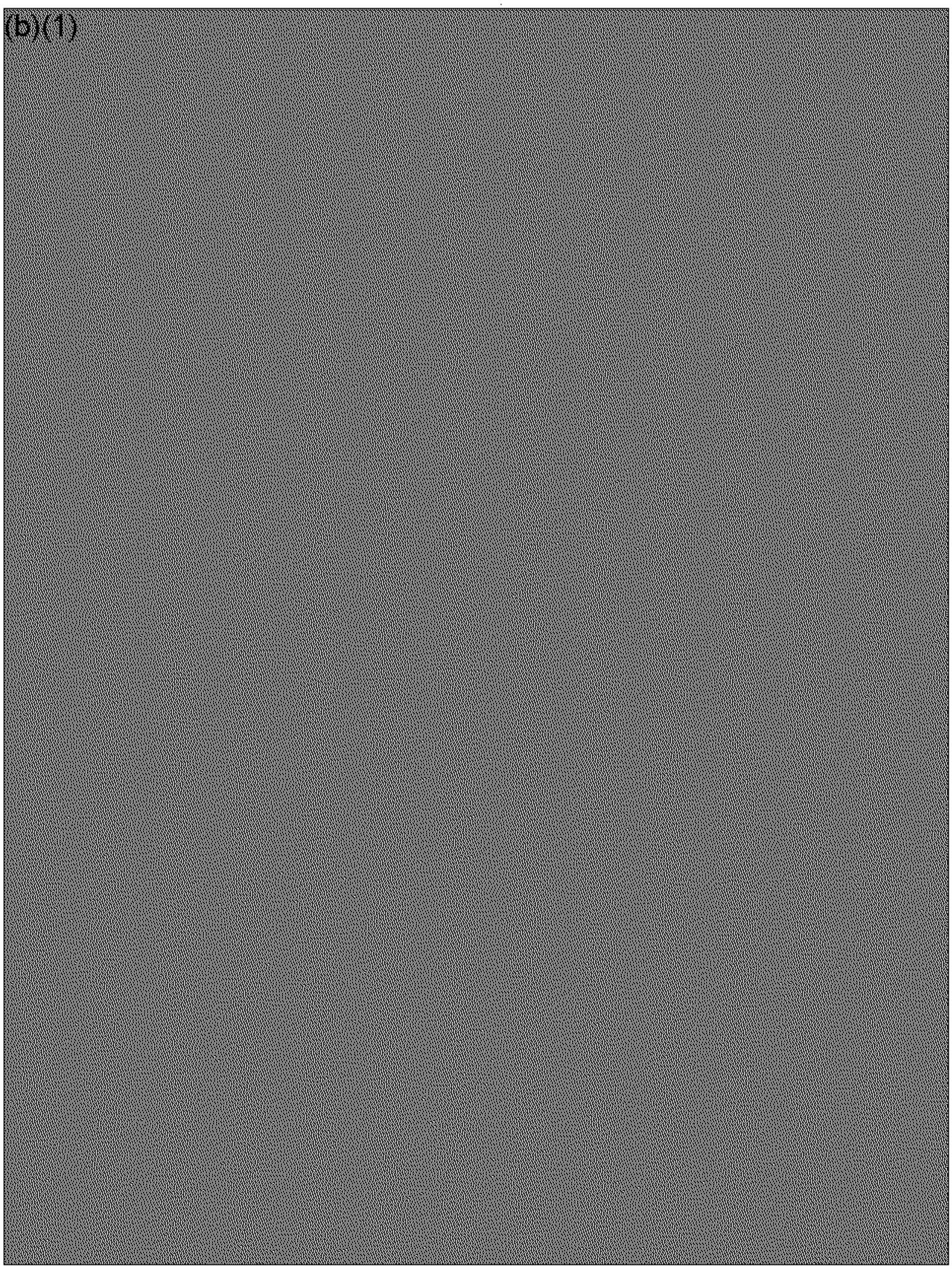
c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)



(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5)

(b)(1),(b)(5)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18 4/10/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1050 (AFGHANISTAN)**

- Subject ARB was held on 23 March 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
4-12-07
(b)(5)
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1050

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1)

c. (U) **Training**

(b)(1)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)

e. **(U) Organizational Affiliations**

(b)(1)

f. **(U) Individual Affiliations**

(b)(1),(b)(5)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1)

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1),(b)(5)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1),(b)(5)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/19/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1052 (AFGHANISTAN)**

- Subject ARB was held on 19 June 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5)

(b)(5)

10-1

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1052

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview and provided an oral statement made by the EC to the AMO during the interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. These statements are documented in Exhibit EC-B.

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) Recruitment

(b)(1)

b. (U) Travel

(b)(1)

(b)(1)

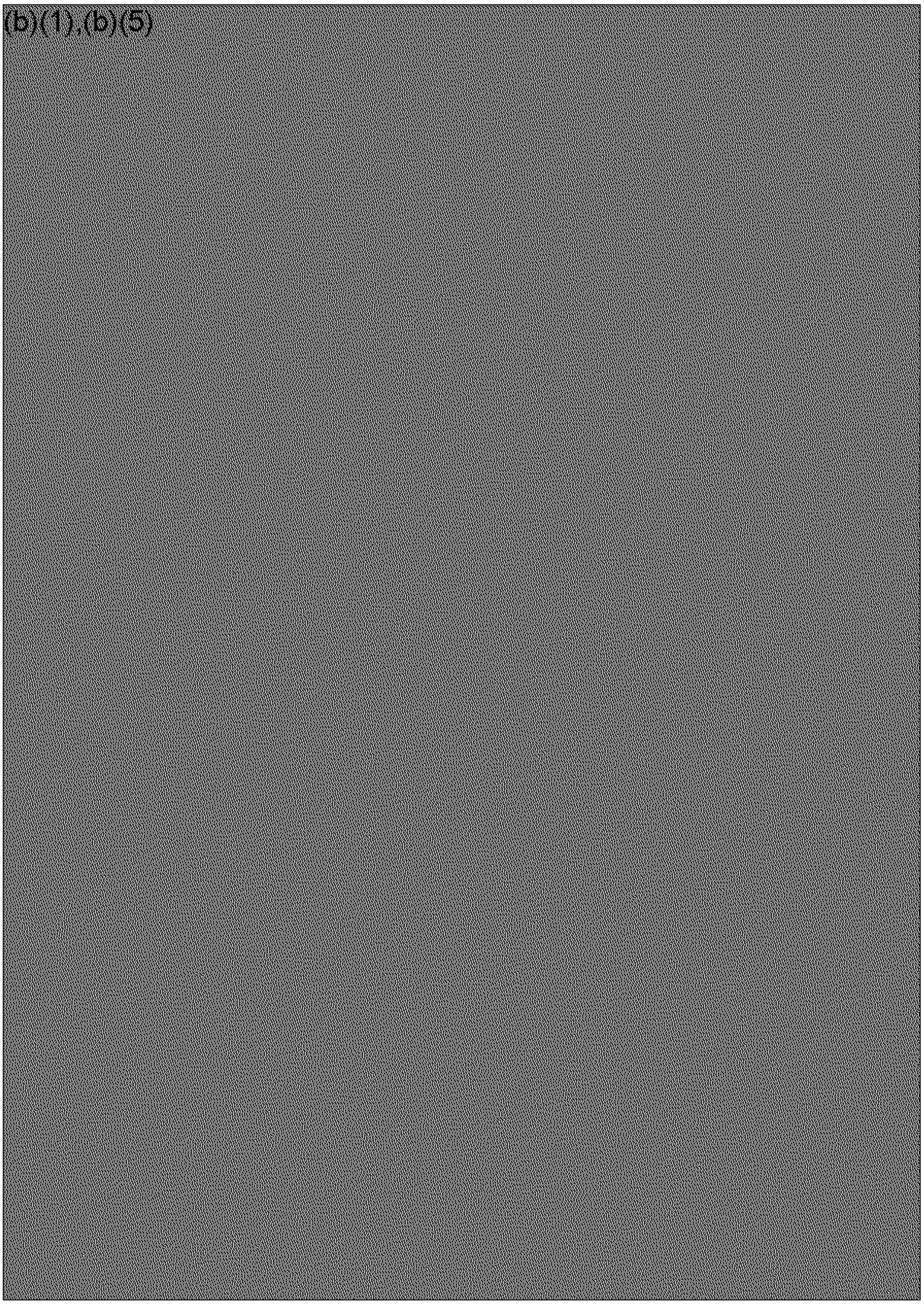
c. (U) **Training**

(b)(1),(b)(5)

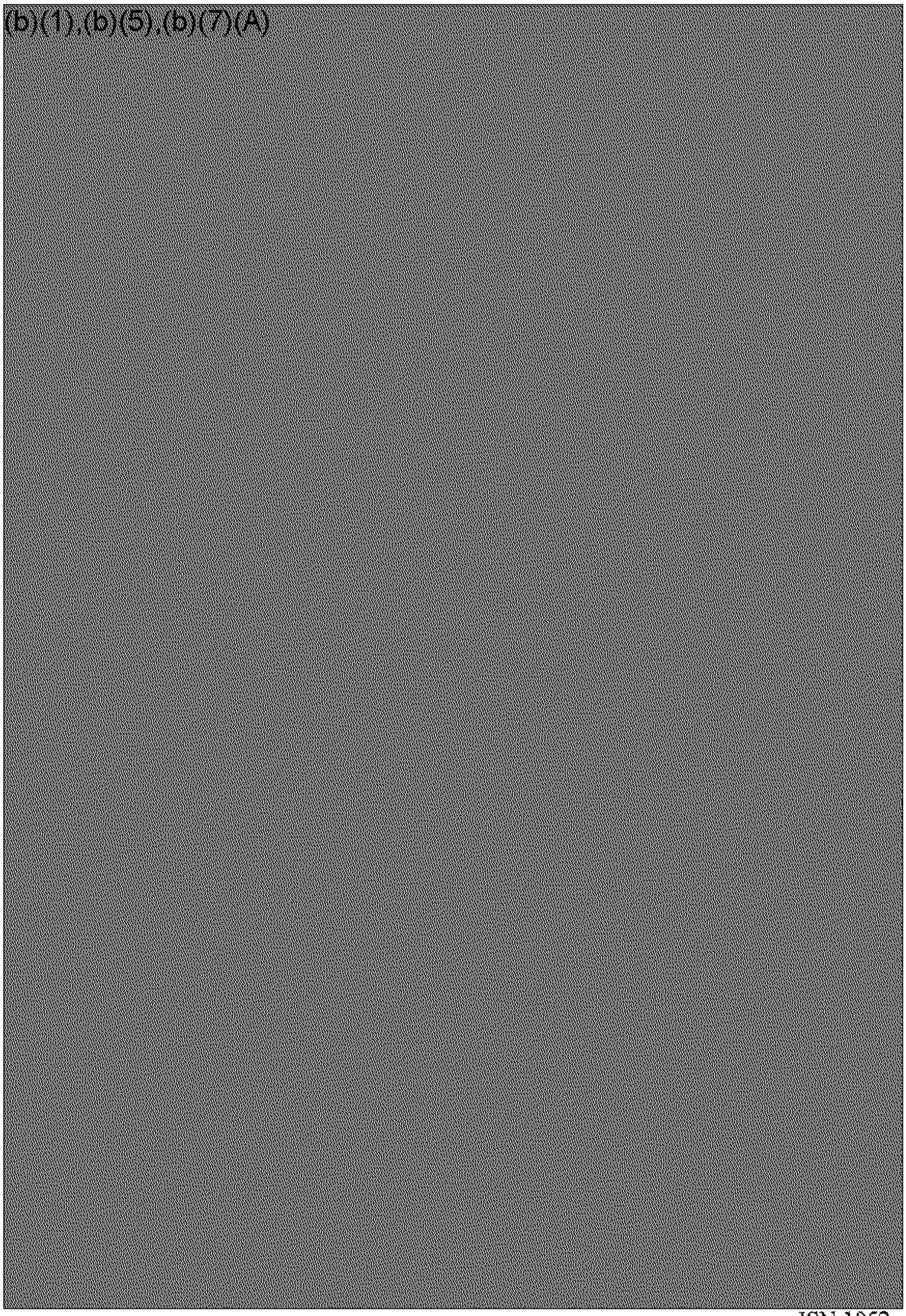
d. (U) **Operations, Combat and Capture**

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5)



(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

(b)(1),(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5)

i. (U) **Factors in Support of (b)(5)**

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

c. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18 3/4/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1094 (PAKISTAN)**

- Subject ARB was held on 17 January 2008 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5) (Detain) / SJC 3-7-08 3=8

(b)(Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1094

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally at the ARB Proceeding and wanted the assistance of the AMO. The AMO further presented correspondence from the EC as Exhibit EC-C thru EC-Y, identified herein as enclosure (4) thru enclosure (26).

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his business dealings with al Qaida members and his future plans. All EC testimony and comments are included in enclosure (27).

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (29).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

a. (U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

b. **(U) <u>Recruitment</u>**

(b)(5)

c. **(U) <u>Travel</u>**

(b)(1)

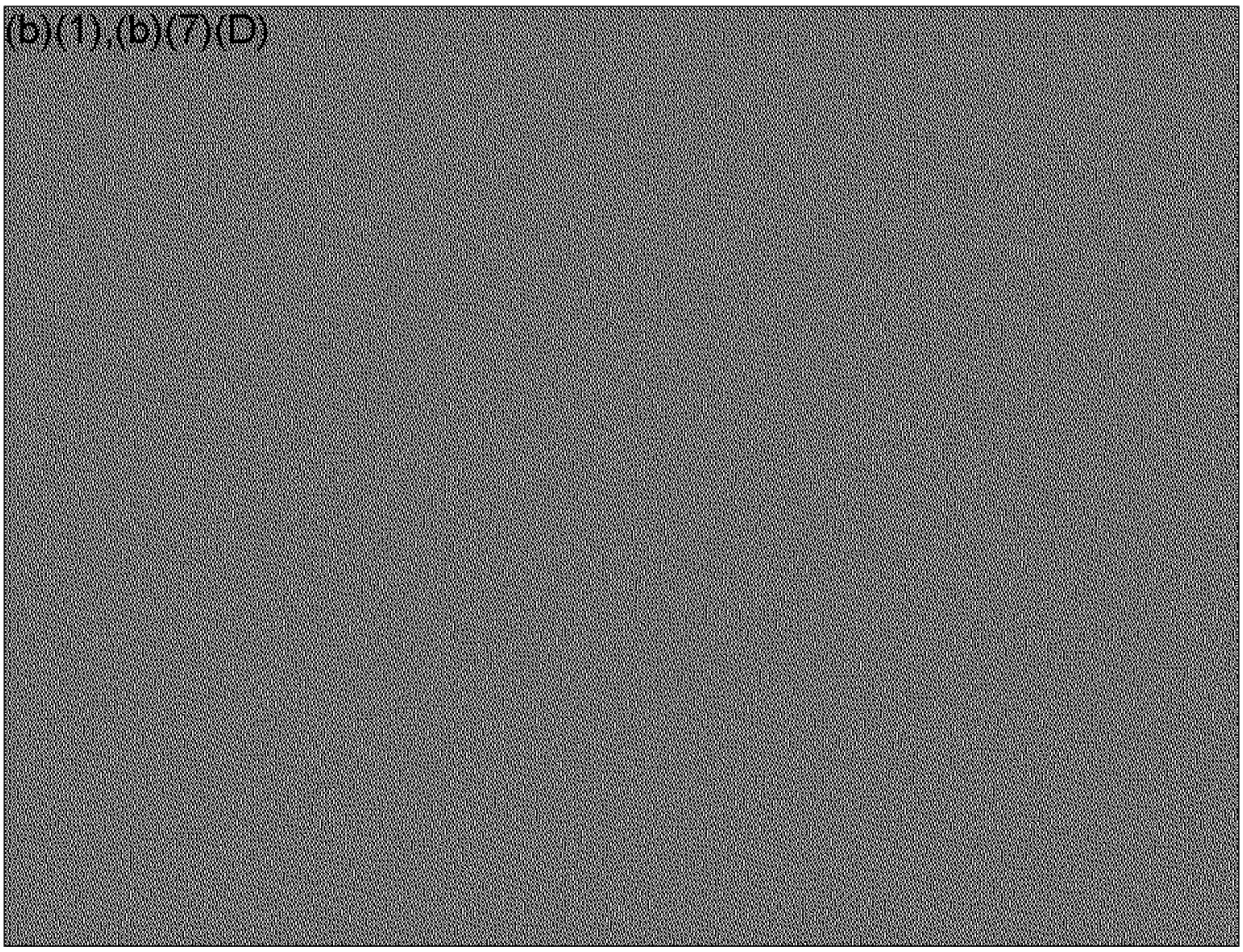
d. **(U) <u>Training</u>**

(b)(1)

e. **(U) <u>Operations, Combat and Capture</u>**

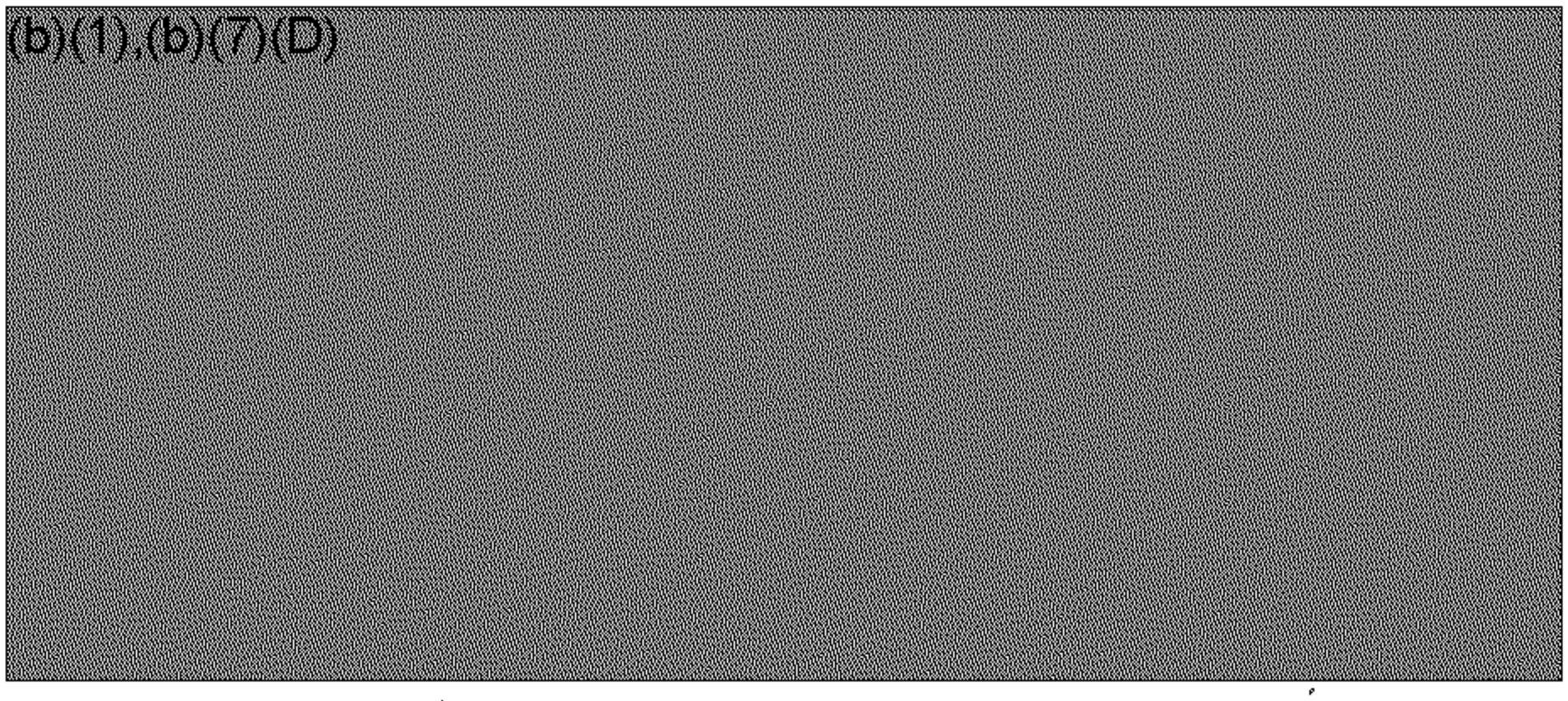
(b)(1)

(b)(1),(b)(7)(D)



(i) (U) In his ARB on 17 Jan 2008, the EC stated, "Also, sir if the allegation is about Tora Bora, it's a news item again, what is the objection? Why the U.S. government is objecting to that even; I mean the allegation doesn't make any sense. CNN. NBC, ABC, CSB, they are all telecasting all the time everything if its something which is wrong, then wrong for some business if its recoding I've done and telecasting even; you know what I am saying sir?" (Enclosure 27)

(b)(1),(b)(7)(D)



(b)(1),(b)(7)(A),(b)(7)(D)

(a) (U) In his ARB on 17 Jan 2008, the EC stated he accepted the $500,000 U.S. dollars from ISN 10018 and ISN 10024 but said he did not know their identity. He stated, "They were clean shaved and they didn't fit into the physical appearance and the discussion they belong to Pakistan wearing Pakistani dress, very casually moving around." (Enclosure 27)

(i) (U) In the United States of America v. Uzair Paracha, attorneys for both sides agreed that if ISN 10018 were to testify he would state, "Saifullah Paracha was unwittingly being used to assist in ISN 10018's broader plans with al Qaida operative Majid Khan [ISN 10020]. Saifullah Paracha was someone ISN 10018 used for information, but from whom he kept his al Qaida connections hidden." He further stated, "Saifullah Paracha did not know ISN 10024's true identity, or any other name for ISN 10024. ISN 10020 did not believe that Saifullah Paracha was aware he and ISN 10024 were al Qaida." (Enclosure 7)

(b)(1)

(b)(1),(b)(7)(D)

(i) (U) In the United States of America v. Uzair Paracha, attorneys for both sides agreed that if ISN 10020 were to testify he would state, "ISN 10020 had no knowledge of Saifullah Paracha's company, the plan to smuggle chemicals or explosives via the Parachas, or other resources that might be attractive to al Qaida." (Enclosure 7)

(ii) (U) In the United States of America v. Uzair Paracha, attorneys for both sides agreed that if ISN 10018 were to testify he would state, "Saifullah Paracha was unwittingly being used to assist in ISN 10018's broader plans with al Qaida operative ISN 10020." (Enclosure 7)

(b)(1),(b)(7)(D)

(b)(1),(b)(7)(D)

(i) (U) In the United States of America v. Uzair Paracha, attorneys for both sides agreed that if ISN 10020 were to testify he would state, "None of ISN 10020's contacts were aware of his gas station attack plan or any other actions he might have taken on behalf of al Qaida." (Enclosure 7)

(b)(1),(b)(5),(b)(7)(D)

(a) (U) During his 17 Jan 2008 ARB the EC indicated, that as a businessman, he had invested in the Cliftonia apartments but he had never knowingly sold or rented any apartments to al Qaida. (Enclosure 27)

(b)(1),(b)(5)

(b)(1),(b)(5)

f. (U) **Organizational Affiliations**

(b)(1)

g. (U) **Individual Affiliations**

(b)(1),(b)(5)

(b) (U) During his ARB on 17 Jan 2008, the EC stated "The first time I met Mr. Najmut Tariq in about 1965-66 when we both used to live in Nazimabad, Karachi-Pakistan we studied in Karachi University, also we were living in the same neighborhood Queens in New York, I know I met his father, brother, and children also, his father used to work in Pharmaceutical industry in Karachi, Pakistan. His desire is to own a Pharmaceutical industry in Karachi, Pakistan, we discussed many time could not establish any unit. His religious and political affiliation is with Jammai Islami; Senator Gazi Hussain Ahmet is the head of Jamaal Islami. To the best of my knowledge Jamaal Islami (JI) did not accept Taliban and there was no relationship with Afghan government but very active since 1942 in the liberation of Kashmir. I have no knowledge Mr. Tariq's connection to Al-Qaida anthrax program and I don't know any document with reference to anthrax vaccine and biological weapons. My opinion about him is, he is very docile sort of person, very humble and simple with very ordinary life style, though he is very rich, this is best I can describe, and similar information I provided to interrogations from time to time about him." The EC continued, "He is living in New York and he has pharmacies in Manhattan and in Brooklyn. I have been to his pharmacies and that is all that I know." (Enclosure 27)

(b)(1),(b)(5)

(a) (U) During his ARB on 17 Jan 2008, the EC stated, "President General Musharraf of Pakistan's cabinet minister, Dr. Ghazi visited my office and gave detail of State university in Islamabad called International Islamic University and Dawah Academy which is subsidiary originations, train Muslim Chaplains (Imam), I agree that funds were raised in party held in Rmada Inn Karachi, Pakistan. I as a Chairman of the east Purcha Committee personally contributed funds and spent a lot of time to build the said Academy on four acres of land with large Mosque, library, classrooms, auditorium, and hostel. After completion in the presence of Mayor Karachi, Mr. Nehmatullah Kham in a formal ceremony handed over to Mr. Mahmood Faroai, Director Dawah Academy, Islamabad just before I captured. Now Dawah Academy is a property of government of Pakistan and its run by the Director of International University and the President of that University an Egyptian from Al-Aahar University, Cairo. I feel honored and I am proud to be part of this project, but if you feel this project does not fall into your standard, you should make Pakistan government responsible, not me." (Enclosure 27)

(b)(1),(b)(7)(D)

h. (U) **Behavior**

(b)(1),(b)(5)

i. (U) **Other Information**

(b)(1)

(b)(1)

j. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Pakistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

(b)(1),(b)(7)(D)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1),(b)(7)(D)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1),(b)(7)(D)

(b)(1),(b)(5),(b)(7)(D)

d. ~~(S//NF)~~ **Recommendation**. ISN 1094 should be (b)(5) for the following reasons:

(b)(1)

(b)(1)

(6) (U) During his ARB on 17 Jan the EC stated he was administered polygraph examinations on 2, 3, and 12 March 2004 at Bagram AB, Afghanistan. The EC stated he was told the tests proved he was not deceptive. The EC stated he is willing to take another polygraph examination at any time.

(7) (U) The EC has gone to extraordinary lengths to submit documents from himself and others on his behalf. Of the EC's eight brothers and sisters, four live in the U.S. at this time and two of those are naturalized citizens. Most of these brother and sisters have children and grandchildren. As one individual put it in Enclosure (12), being a Muslim, his sympathy for Afghanistan and Iraq does not mean he is involved in terrorism or supports terrorism.

(8) (U) The EC stated during his ARB that a delegation from Pakistan visited Guantanamo Bay in August and met with the EC. The EC stated he was told he should be released in two to six months. (b)(5)

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

a. ~~(S//NF)~~ The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/5/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1095 (TAJIKISTAN)**

- Subject ARB was held on 27 Sep 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
10-10-07
(b)(5)
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1095

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC refused to attend the interview.

d. (U) The ARB confirmed a translated copy in the EC's language of the Unclassified Summary was provided to the EC.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) **(U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(1),(b)(5)

b. **(U) Travel**

(b)(1)

c. **(U) Training**

(b)(1)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

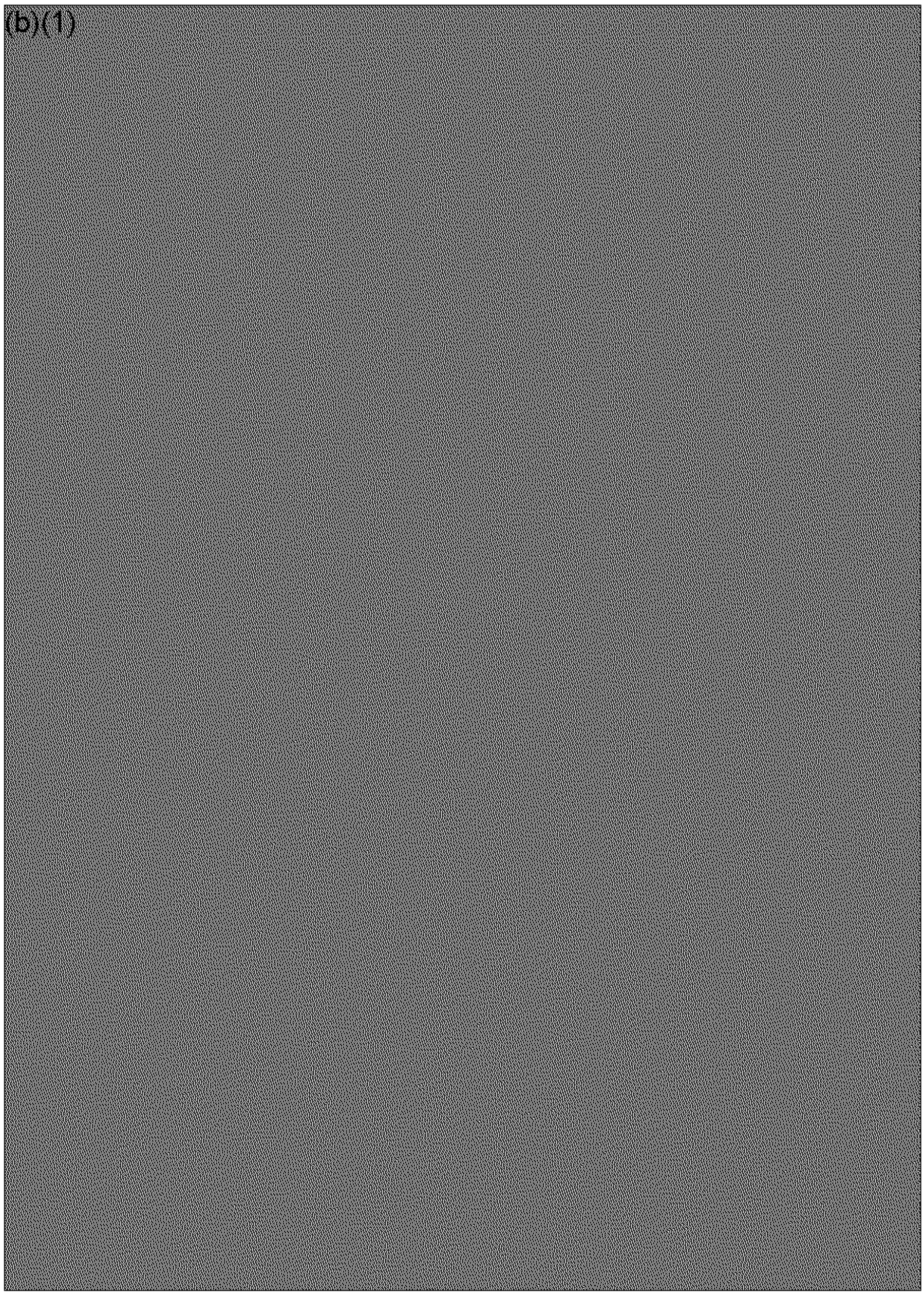
(b)(1)

(i) (U) The Department of Homeland Security has identified the HIG as a foreign terrorist organization that has established ties to Usama bin Laden, operates terrorist training camps in Afghanistan, and has conducted attacks on U.S. troops and the Afghan Transitional Administration. (DMO-4)

(b)(1),(b)(7)(A)

(a) (U) The Department of Homeland Security has identified the IMU as a foreign terrorist organization whose members have fought with the Taliban against coalition forces in Operation Enduring Freedom. (DMO-4)

(b)(1)



e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5)

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Tajikistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 1095, identified herein as enclosure (5). There were no other matters submitted on behalf of ISN 1095.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a *unanimous* decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 Jun 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1103 (AFGHANISTAN)**

- Subject ARB was held on 22 March 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)

6-1-07

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1103

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview.

d. (U) The board received correspondence on behalf of the EC as exhibit EC-C, identified herein as enclosure (4).

e. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. The AMO reported that the EC interrupted the reading of the Unclassified Summary of Evidence and said he did not want to hear it. The EC appeared to understand the process.

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1),(b)(5),(b)(7)(A)

(b)(1)

c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(5),(b)(7)(A)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(5)

(b)(1)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1)

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 1103, herein included as Enclosure (4), Exhibit EC-C. There were no other matters submitted on behalf of ISN 1103.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1),(b)(5),(b)(7)(A)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of(b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 16 a/29/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 1104(AFGHANISTAN)**

- Subject ARB was held on 12 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
17-4
(b)(5)

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation;

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 1104

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation. The AMO further presented correspondence on behalf of the EC as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) Recruitment**

(b)(1)

b. **(U) Travel**

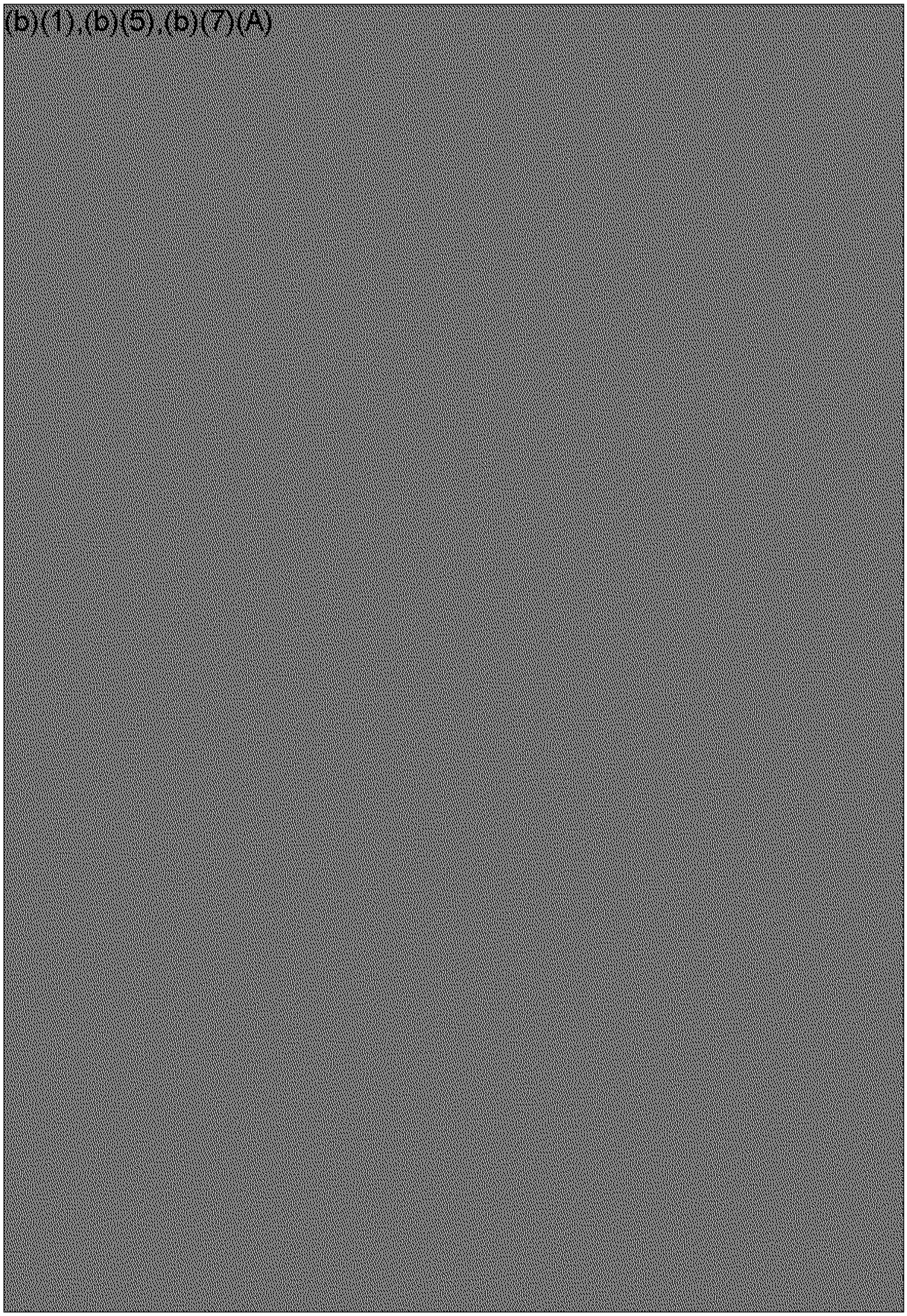
(b)(5)

c. **(U) Training**

(b)(5)

d. **(U) Operations, Combat and Capture**

(b)(1)


(b)(1),(b)(5),(b)(7)(A)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(7)(A)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

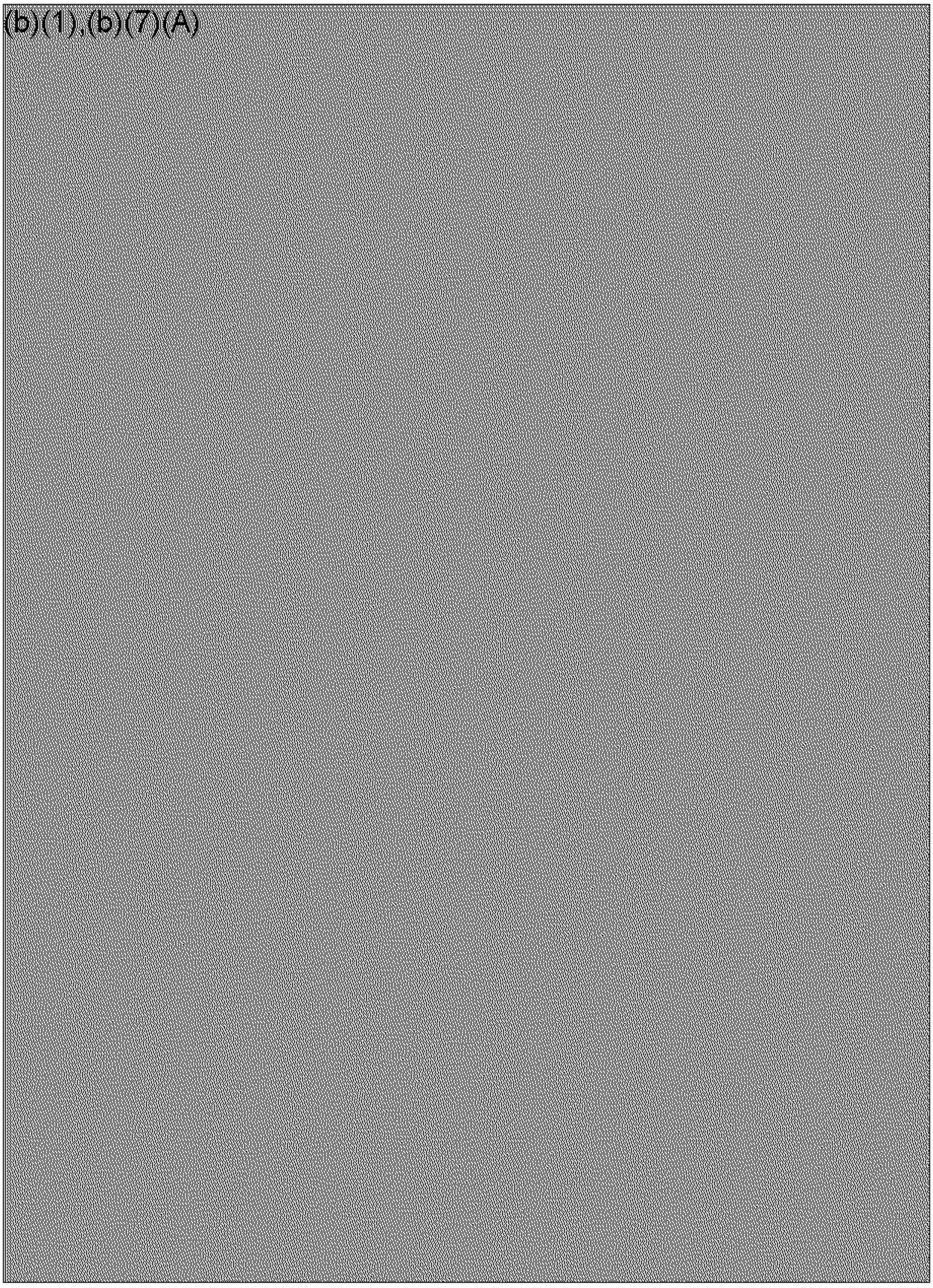
(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)


(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 1104, herein enclosed as Enclosure (6). There were no other matters submitted on behalf of ISN 1104.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.
(b)(3):10 USC §130b,(b)(6)

ISN 1104
Enclosure (7)
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